

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

Convened January 12, 1970
Adjourned Sine Die February 12, 1970

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JOURNAL OF THE SENATE
STATE OF WASHINGTON
SECOND EXTRAORDINARY SESSION
OF THE
FORTY-FIRST LEGISLATURE
FIRST DAY
MORNING SESSION

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

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gayle Metcalf, Color Bearer, and Elmer Dones presented the Colors. Reverend Charles Howard Perry, pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Jesus said, 'By their fruits you shall know them.' Almighty God, unto whom all hearts are open, all desires known and from whom no secrets are hid, look with favor and grace upon the members of this Senate of the state of Washington. From Thy Throne, O God, behold all who work and labor here and grant to each member of this body a desire to serve the people of Washington above self in the making of law. May the fruits of their labor be a state blessed with a joy of freedom for all its citizens, the privilege of justice for everyone—rich or poor, old or young, powerful or weak, and the dignity of life which all free men covet. Keep them open to one another, O Lord, that the spirit of wisdom that You pour out upon men may come to them from debate and discussion that they may be saved from error, prejudice, and ignorance of duty either to You or the people of the state. You know the frailty of men, O God. Where we are weak, make us strong by your spirit; where we are fearful, give us courage by the gift of faith; where we are sometimes slow to move, nudge us along by Your presence. Grant that the endeavors undertaken here may be done to Your glory and the preservation of our liberties. In the name of Jesus Christ, our Lord. Amen."

MESSAGE FROM THE SECRETARY OF STATE

January 12, 1970.

**TO THE HONORABLE, THE PRESIDENT OF THE SENATE,
THE LEGISLATURE OF THE STATE OF WASHINGTON,
OLYMPIA, WASHINGTON.**

MR. PRESIDENT:

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

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

(Seal of the State of Washington)

A. LUDLOW KRAMER
Secretary of State.

PROCLAMATION BY THE GOVERNOR:

Office of the Governor, January 12, 1970.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DANIEL J. EVANS
Governor of Washington.

BY THE GOVERNOR
A. LUDLOW KRAMER
Secretary of State.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the Honorable Marshall A. Neill, Associate Justice of the Supreme Court of the state of Washington to the Senate Chamber and a seat upon the rostrum. The committee consisted of Senators Gissberg and Woodall.

Justice Neill was thereupon escorted by the sergeant at arms and the special committee to a seat upon the rostrum.

PRESIDENT'S REMARKS

The President: "Members of the Senate, ladies and gentlemen: The President is positive that everyone present today in the Senate Chamber and in the galleries would hold him terribly amiss if he did not at this time present to you an old friend or maybe I should say a very good friend to each and every member that is present here today, those to come, and those that have gone. At this time, Justice Neill."

MESSAGE FROM THE SECRETARY OF STATE

Office of the Secretary, January 12, 1970.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,
THE LEGISLATURE OF THE STATE OF WASHINGTON.

SIR:

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

LIST OF SENATORS ELECTED NOVEMBER 5, 1968

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1	Francis E. Holman	King, part
No. 2	Bruce A. Wilson	Okanogan, Pend Oreille, Stevens, Ferry
No. 3	James E. Keefe	Spokane, part
No. 4	William S. (Bill) Day	Spokane, part
No. 5	John L. Cooney	Spokane, part
No. 9	Elmer C. Huntley	Whitman, Lincoln, Adams
No. 10	Charles W. Elicker	Island, Kitsap, part
No. 11	Hubert F. Donohue	Walla Walla, Asotin, Columbia, Garfield
No. 12	R. D. McDougall	Chelan, Douglas
No. 14	Jim Matson	Yakima, part
No. 16	Mike McCormack	Benton, part; Franklin
No. 17	Al Henry	Klickitat, Skamania, Clark, part
No. 18	Don L. Talley	Spokane, part
No. 19	Robert C. Bailey	Pacific, Grays Harbor, part
No. 20	Gary M. Odegaard	Lewis, Grays Harbor, part
No. 22	Harry B. Lewis	Thurston
No. 23	Gordon L. Walgren	Kitsap, part
No. 24	Gordon Sandison	Clallam, Mason, Jefferson
No. 25	Reuben A. Knoblauch	Pierce, part
No. 27	Joe Stortini	Pierce, part
No. 28	Charles E. Newschwander	Pierce, part

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No. 39	William A. Gissberg	Snohomish, part
No. 40	Lowell Peterson	San Juan, Skagit
No. 41	Brian J. Lewis	King, part
No. 48	James A. Andersen (unexpired term)	King, part; Snohomish
No. 49	Frank W. Foley	Clark, part

LIST OF HOLDOVER SENATORS

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 6	Sam C. Guess	Spokane, part
No. 7	Robert W. Twigg	Spokane, part
No. 8	Damon R. Canfield	Yakima, part; Benton, part
No. 13	Nat Washington	Grant, Kittitas
No. 15	Perry B. Woodall	Yakima, part
No. 21	Jack Metcalf	Snohomish, part
No. 26	Larry Faulk	Pierce, part
No. 29	John T. McCutcheon	Pierce, part
No. 30	John H. Stender	King, part
No. 31	Gordon Herr	King, part
No. 33	Frank Connor	King, part
No. 34	R. R. (Bob) Greive	King, part
No. 35	Robert C. Ridder	King, part
No. 36	Joel M. Pritchard	King, part
No. 37	Fred H. Dore	King, part
No. 38	August P. Mardesich	Snohomish, part
No. 42	R. Frank Atwood	Whatcom
No. 43	Walter B. Williams	King, part
No. 44	Ted G. Peterson	King, part
No. 45	Richard G. Marquardt	King, part
No. 46	John N. Ryder	King, part
No. 47	Martin J. Durkan	King, part

APPOINTED SENATOR

<i>District</i>	<i>Name</i>	<i>County Represented</i>
No. 32	Pete Francis (Appointed to fill vacancy caused by the resignation of Wes Uhman.)	King, part

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

(Seal of the State of Washington)

A. LUDLOW KRAMER
Secretary of State.

KING COUNTY, STATE OF WASHINGTON

December 10, 1969.

SECRETARY OF STATE OF WASHINGTON,
OLYMPIA, WASHINGTON.

Dear Sir:

In accordance with the recommendation of the King County Democratic Central Committee, the King County Council in regular session on December 1, 1969 unanimously appointed Mr. A. N. (Bud) Shipoch, 361 Maple Avenue N. W., Renton, Washington 98055 as State Representative from the 47th Legislative District to fill the vacancy created by Avery Garrett's election as Mayor of the City of Renton.

At the same time and by the same recommendation, the Council unanimously appointed Mr. Peter D. Francis, 4324 Dayton Avenue North, Seattle, Washington 98103 as State Senator from the 32nd Legislative District to fill the vacancy created by Wes Uhman's election as Mayor of the City of Seattle.

Very truly yours,
KING COUNTY COUNCIL
Ralph R. Stender,
Clerk of the Council.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Bailey and Marquardt to escort the Honorable Peter D. Francis to the rostrum. The Honorable Marshall A. Neill, Justice of the Supreme Court, administered the oath of office to newly appointed Senator Peter D. Francis.

JUSTICE NEILL'S REMARKS

Justice Neill: "Thank you, Mr. President. It is good to see so many old friends and some new ones and welcome back to your homes away from home. I do not envy the job that calls you back here. The decisions, I know, are going to be difficult but from long experience, I know you are going to come up with the right answers so far as the people of the state of Washington are concerned. I just want to wish you well in your deliberations and I assume that you are willing to wish me well in the morning that faces us across the street at the same time."

The committee of honor escorted Justice Neill from the Senate Chambers.

SENATE RESOLUTION: 1970-EX-1

By Senators Greive and Atwood:

WHEREAS, The offices of President Pro Tempore of the Senate, Vice President, Secretary of the Senate and Sergeant at Arms of the Senate were filled by competent persons during the forty-first regular and first extraordinary sessions of the legislature; and

WHEREAS, These officers served in a distinguished and satisfactory manner; and

WHEREAS, The standing committees of the Senate were formed and operated properly and efficiently during the forty-first regular and first extraordinary sessions of the legislature;

NOW, THEREFORE, BE IT RESOLVED, That officers serving at the adjournment of the first extraordinary session of the forty-first legislature, committee chairmen and committee members of the regular and first extraordinary sessions of the forty-first legislature still serving in the Senate shall constitute the officers and committees of the second extraordinary session of the forty-first legislature.

On motion of Senator Greive, the resolution was adopted.

SENATE RESOLUTION: 1970-EX-2

By Senators Bailey and Ryder:

BE IT RESOLVED, That a committee of three members be named by the President of the Senate to inform the House that the Senate is organized and ready to transact the business of the second extraordinary session of the forty-first legislature.

On motion of Senator Greive the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Francis, Connor and Twigg to serve as a committee of three to notify the House that the Senate is organized and ready for business.

On motion of Senator Ryder, the appointees were confirmed.

SENATE RESOLUTION: 1970-EX-3

By Senators Bailey and Ryder:

BE IT RESOLVED, That the courtesies of the Senate are hereby extended to all former presidents, former members and secretaries of the Senate.

On motion of Senator Atwood, the resolution was adopted.

SENATE RESOLUTION: 1970-EX-4

By Senators Sandison and Peterson (Ted):

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed to draw their warrants for payment of the members' subsistence allowance every seventh day of the session upon subsistence payrolls which shall be certified to by the President and Secretary of the Senate, and they are hereby authorized and directed to deliver the warrants to the Secretary of the Senate, taking their receipt therefor.

On motion of Senator Sandison, the resolution was adopted.

SENATE RESOLUTION: 1970-EX-5

By Senators Sandison and Peterson (Ted):

BE IT RESOLVED, That the state treasurer and budget director be, and they are

hereby directed to draw their warrants for the payment of salaries of the employees of the Senate every seventh day of the session upon salary payrolls which shall be certified to by the President and Secretary of the Senate, and the state treasurer is authorized and directed to deliver the warrants to the Secretary of the Senate, taking his receipt therefor.

On motion of Senator Sandison, the resolution was adopted.

SENATE RESOLUTION: 1970-EX-6

By Senator Greive:

BE IT RESOLVED, That the Secretary of the Senate is hereby directed to procure from the Postmaster of Olympia a sufficient quantity of six cent stamps for the use of the Senate; and

BE IT FURTHER RESOLVED, That he shall deliver ten rolls to each member and officer of the Senate, taking his receipt therefor.

On motion of Senator Greive, the resolution was adopted.

MOTIONS

On motion of Senator Atwood, Senator Holman was excused.

On motion of Senator Greive, the Senate returned to the fourth order of business.

COMMITTEE FROM THE HOUSE

A committee from the House comprised of Representatives Newhouse, Whetzel and Charette appeared before the bar of the Senate to notify the Senate that the House was organized and ready to do business.

REPORT OF SPECIAL COMMITTEE

The special committee appointed to notify the House that the Senate was organized and ready to transact business appeared and reported that their mission had been accomplished.

The report was received and the committee was discharged.

MESSAGE FROM THE HOUSE

January 12, 1970.

Mr. President: The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 1,

HOUSE CONCURRENT RESOLUTION NO. 2,

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 1, by Representative Bledsoe:

BE IT RESOLVED, By the House, the Senate concurring, that a committee of three members from the House to be named by the Speaker, and three members from the Senate to be named by the President of the Senate, be appointed to notify the Governor that the Legislature is organized, in session and ready to receive any communication he may desire to make.

The resolution was read the first time.

On motion of Senator Greive, House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Greive, House Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

HOUSE CONCURRENT RESOLUTION NO. 2, by Representative Bledsoe:

BE IT RESOLVED, By the House, the Senate concurring, that the House meet the

Senate in Joint Session on Monday, January 12, 1970 at 10:00 a.m., in the House Chamber for the purpose of receiving Governor Daniel J. Evans' message to the Legislature.

The resolution was read the first time.

On motion of Senator Greive, House Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Greive, House Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Keefe, Andersen and McCutcheon to serve as the members from the Senate under the provisions of House Concurrent Resolution No. 1 to notify the Governor that the legislature was organized and ready to transact business.

On motion of Senator Atwood, the committee appointments were confirmed.

The committee retired.

At 9:40 a.m. the President declared the Senate to be at ease.

At 10:00 a.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of hearing the State of the State message of Governor Daniel J. Evans.

JOINT SESSION

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

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

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

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

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

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

The committee retired.

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

The committee retired.

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

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

PRESIDENT'S REMARKS

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

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

GOVERNOR'S MESSAGE

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

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

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

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

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

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

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

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

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

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

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

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

"I ask you these questions: "What price must the people pay for 12 more months of chaotic abuse of our saltwater beaches? "What price must they pay for 12 more months of stripping the mountains and polluting our lakes and streams and open spaces? "What price must they pay for 12 more months of government bound by the inefficiency of present organization? "What price must they pay for 12 more months of inadequacy in meeting the responsibilities of unemployment compensation; or in meeting the housing needs of low income families? "What price must they pay for 12 more months of leaving our cities and counties the choice between begging and bankruptcy? "I I have heard it said, more in anger than in sorrow, that the people are unhappy with this extraordinary session of the Legislature. I do not believe this. And I don't believe anyone else here believes it either. I pledged that this administration will reject partisan political advantage and I hope you will do likewise.

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

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

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

"It is my hope that this special session will attend promptly to the business which

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

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

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

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

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

"In this special session, by executive request, I will once again ask for a consolidation of the pollution control authority into a single agency of state government—the Department of Environmental Quality. I will further ask for stringent regulation on surface mining operations; for legislation to implement the voters' favorable decision on House Joint Resolution No. 1; for landmark legislation providing for the orderly development of land adjacent to our ocean beaches; for an inventory of our scenic rivers and shorelands and for important and necessary amendments to the present Water Pollution Control Act.

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

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

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

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

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

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

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

local taxing capacity and a cutback in essential services, including those of police and fire protection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Thank you."

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

The committee retired.

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

The committee retired.

PRESIDENT'S REMARKS

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

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

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

SECOND MORNING SESSION

The President called the Senate to order at 10:50 a.m.

Senators Ryder, Sandison and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Holman who was previously excused.

On motion of Senator Atwood, the Senate proceeded subject to roll call.

MOTION

On motion of Senator Greive, the Senate immediately considered Senate Concurrent Resolution No. 1.

INTRODUCTION AND FIRST READING

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

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

On motion of Senator Greive, Senate Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Greive, Senate Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Canfield: "Perhaps we should lower the twenty-one days to eighteen. I would like to ask one of the prime sponsors of this resolution if this is a meaningful one. If it is, I am for it. Is the House going to agree, or are we just going through a drill? I would like to address this question to Senator Bailey."

Senator Bailey: "Mr. President, Senator Canfield, I do not know what the House is going to do. They never tell me, but I think it is a goal we should shoot for. If we do not shoot for this, we are going to go the full gamut of sixty days. I think it is a good goal and if we shoot for it, we may make it. We are introducing this in perfect sincerity. If we cannot reach agreement, I will agree with Senator Dore. We just cannot walk out of here and leave our job undone; however, I think we should be able to do it in twenty-one days."

ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 1 and the resolution passed the Senate by the following vote: Yeas, 43; nays, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, Mardesich,

Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Williams, Wilson, Woodall-43.

Voting nay: Senators Elicker, McCormack, McDougall, Walgren, Washington-5.
Excused: Senator Holman-1.

SENATE CONCURRENT RESOLUTION NO. 1, having received the constitutional majority, was declared passed.

MOTION

On motion of Senator Greive, Senate Concurrent Resolution No. 1 was ordered immediately transmitted to the House.

PERSONAL PRIVILEGES

Senator Mardesich: "I would like to just admonish some of the members of the Senate if I might take that unusual privilege. On Senate Concurrent Resolution No. 1, the resolution which would seek to limit the length of the session, I would hope that we might do so but I would like to point out to the members of the Senate that many of you who voted 'Aye' have your names on about forty bills already. The two are not exactly going down the same road. You have to take one position or the other and I wish that you would take the road that you are going to stay on and stay there."

Senator Gissberg: "The same line of thought was going through my mind, of course. I have been a strong advocate of attempts to limit the session but I see that the first day is a complete waste insofar as the Senate is concerned other than the fact that we did hear the Governor give us his message. We have done absolutely nothing here today, and we are even delaying the adoption of the rules of procedure by which we operate which is apparently the fundamental thing that anyone has to do. We are delaying the introduction of some fifty-four bills, most of which are the ones that the Governor has talked about to us and the reason that we are here. It seems to me once again that we are limiting ourselves now to twenty-two days at least, but each twenty-four hour period that goes by with our usual procrastination here in the Senate will find that our effort in limiting it will have been in vain.

Senator McCormack: "Mr. President, to take some issue with Senator Gissberg, I was about to announce two hearings, one of which will be held at 2:00 today. We have scheduled two joint hearings of the Senate Revenue and Taxation Committee with the House Revenue and Taxation Committee. The first of these two hearings is scheduled for 2:00 this afternoon, slated to run until 4:00, and will consider House Bill No. 21 which authorizes cities and counties to levy a local sales tax. On Wednesday, day after tomorrow, at the same time, from 2:00 to 4:00, in another joint hearing of the Revenue and Taxation Committees of the House and the Senate, we will hear House Bill No. 22, the open spaces bill which implements House Joint Resolution No. 1 of the 1968 election. So we will be working starting today with meaningful hearings on important bills, and we have scheduled these hearings in advance affording the requirements of law as joint hearings to save time. They will be at work with Revenue and Taxation starting at 2:00 this afternoon in the House Chamber."

POINTS OF INQUIRY

Senator Atwood: "You do not intend to introduce any of these bills that are on our desks?"

Senator Greive: "We have not adopted rules, and for another thing we have not finally worked out the committees. We will have to have a switch of at least one committee, and that might entail a number of other switches. We had no chance to have a caucus. Senator Bailey was going to announce a meeting of the Committee on Committees so that we could work out the committee changes. Senator Bailey's thought was that he would have a caucus at 1:15, and we were going to have hearings at 2:00; so we thought we had a very full day. That is why I hesitate to put them through. I have no objections if somebody wants to read them in."

Senator McCutcheon: "Do you intend to hold hearings on some bills that have not yet been assigned to committee? How do you do that?"

Senator McCormack: "Senator, these bills have been assigned to a committee in the House. These are joint hearings with the House and Senate Committees together."

Senator McCutcheon: "That gives your committee authority to hold a hearing in your opinion?"

Senator McCormack: "I am sure we have the authority to hold the hearing, Senator."

Senator McCutcheon: "You may be sure of it. Thank you very much."

Senator McCormack: "You are one of those who voted for a twenty-one day session,

Senator. I am trying to implement your motion.”

Senator McCutcheon: “Thank you very much. Thank everybody.”

SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

An Act relating to state government; creating a department of pollution control; and providing an effective date.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 2, by Senators Durkan and Greive:

An Act relating to pollution control; amending section 12, chapter 13, Laws of 1967 and RCW 90.48.135; and amending section 36, chapter 238, Laws of 1967 and RCW 70.94.222.

Referred to Judiciary Committee.

SENATE BILL NO. 3, by Senators Durkan, Sandison and Foley:

An Act relating to water pollution; amending section 2, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.325; adding a new section to chapter 90.48 RCW; and prescribing penalties.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 4, by Senators Durkan, Knoblauch, Stortini, McCormack, Talley, Dore, Peterson (Lowell), and Keefe:

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

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 5, by Senators Durkan, Greive, Peterson (Lowell), Sandison, Lewis (Harry), Stender, Canfield and Foley:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 6, by Senators Bailey, Holman, Sandison, Marquardt, Durkan, Greive, Washington and Andersen:

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 7, by Senators McCormack and Washington:

An Act relating to tax deferral; deferring retired persons' property taxes and creating a lien; adding a new chapter to Title 84 RCW; and providing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 8, by Senators Greive, Bailey, Ridder, Durkan, Talley, Dore and Stortini:

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as

last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; and declaring an emergency.

MOTION

Senator Greive moved that Senate Bill No. 8 be advanced to second reading.

PARLIAMENTARY INQUIRY

Senator Atwood: "What are we operating under?"

Senator Greive: "In the absence of the adoption of formal rules, the President has been guided by the majority vote of the members of the Senate."

POINTS OF INQUIRY

Senator Atwood: "I take it that you are going to follow this on other bills as well?"

Senator Greive: "Well as far as I know, this is the principal bill I am interested in but if we had had until tomorrow, we would have had a chance to work these things out. I just do not want to find this in a committee structure where it takes some time to get it out. I just want out in front of it. If we could have put all of the bills over until tomorrow, then we could have had this problem all worked out and had a chance to confer."

Senator Ryder: "Senator Greive, when this is held out on second reading tomorrow, then would you be willing to refer to a committee?"

Senator Greive: "No, that is exactly what I do not want. In other words, my attitude is that if somebody has some amendments tomorrow, that is all fair game. We want this to be put through with great dispatch."

Senator Ryder: "Then your position is that instead of holding a hearing on it and properly considering amendments, if any, in committee that you want to do that in a committee of the whole on the floor?"

Senator Greive: "The terminology can be whatever you want to make it. The point is that the Governor said this has a high priority. This particular body had passed this bill three times last session with extensive debate. We will be in position to consider it tomorrow if you wish, and I think you will find that the votes are there to pass it. Now if somebody wanted to put it over still another day to give them a chance to get their amendments ready or something, we may very well be amenable to that, I do not know, we have not had a caucus yet."

PARLIAMENTARY INQUIRY

Senator Atwood: "Since we have no rules, how do we get to a second reading? The readings are provided for in our rules, and there are no rules. So there is no second reading of anything provided for."

Senator Greive: "I can help Senator Atwood. I think we have the State Constitution that provides for reading on three successive days, and so the second reading is very much with us and is very real. We do not have any particular problem as far as that is concerned."

The President declared the question before the Senate is a motion by Senator Greive that Senate Bill No. 8 be advanced to second reading and read the second time in full.

Senator Greive: "My desire is merely to have it on second reading and not to have it read because it is going to be read section by section and be subject to amendment at a later time."

The motion by Senator Greive carried on a rising vote.

SENATE BILL NO. 9, by Senators Greive, Stortini and Odegaard:

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:

An Act relating to workmen's compensation; and amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 1, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.050; and amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.060; amending section 51.16.080, chapter 23, Laws of 1961 and RCW 51.16.080; amending section 51.16.110, chapter 23, Laws of 1961 and RCW 51.16.110; amending section 51.16.130, chapter 23, Laws of 1961 and RCW 51.16.130; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090; adding a new section to chapter 23, Laws of 1961 and to chapter 51.16 RCW; repealing section 51.16.010, chapter 23, Laws of 1961 and RCW 51.16.010; repealing section 51.16.020, chapter 23, Laws of 1961, as amended by section 6, chapter 274, Laws of 1961 and RCW 51.16.020; and repealing section 51.16.030, chapter 23, Laws of 1961 and RCW 51.16.030.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 11, by Senators Talley, Greive and Stortini:

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 12, by Senators Wilson, Talley, Faulk and Odegaard:

An Act providing for the attachment of fiscal notes to bills and resolutions of the legislature affecting the county current expense funds; and prescribing penalties.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 13, by Senators McCormack and Washington:

An Act relating to real estate excise taxes; amending section 28A.45.010, chapter 223, Laws of 1969 1st ex. sess. and RCW 28A.45.010; and declaring an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 14, by Senator Wilson:

An Act relating to intermediate school districts; and amending section 7, chapter 176, Laws of 1969 1st ex. sess. and RCW 28.19.530.

Referred to Committee on Education.

SENATE BILL NO. 15, by Senator Walgren:

An Act relating to divorce; and amending section 3, chapter 215, Laws of 1949 and RCW 26.08.030.

Referred to Judiciary Committee.

SENATE BILL NO. 16, by Senators Stender, McDougall and Washington:

An Act relating to state government; transferring to the state highway commission the powers, duties, and functions of the Washington toll bridge authority relating to the state ferry system; defining terms; providing for the assumption of indebtedness and payment therefor; prescribing standards for the establishment of tolls; transferring appropriations, records, equipment and documents; and prescribing an effective date.

Referred to Committee on Highways.

SENATE BILL NO. 17, by Senators Henry, Bailey, Woodall, Wilson, Huntley, McCormack, Durkan, Talley, McDougall and Washington:

An Act relating to education; and declaring an emergency.

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 18, by Senators Dore and Holman:

An Act relating to minors; providing minor students with capacity to borrow; adding new sections to chapter 26.28 RCW; and providing an effective date.

Referred to Committee on Higher Education and Libraries.

SENATE BILL No. 19, by Senators Dore, Gissberg, Mardesich and Stortini:

An Act relating to child care centers; making an appropriation; and declaring an emergency.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 20, by Senator McCormack:

An Act relating to state and local government; and prescribing employment practices.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 21, by Senator McCormack:

An Act relating to driver's licenses for persons under eighteen; amending section 46.20.100, chapter 12, Laws of 1961 as last amended by section 10, chapter 218, Laws of 1969 ex. sess. and RCW 46.20.100.

Referred to Committee on Highways.

SENATE BILL NO. 22, by Senator McCormack:

An Act relating to motor vehicle excise taxes and license fees; providing a refund; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.44 RCW.

Referred to Committee on Highways.

SENATE BILL NO. 23, by Senator McCormack:

An Act relating to motor vehicles and trailers; and Amending section 46.37.340, chapter 12, Laws of 1961 as last amended by section 49, chapter 170, Laws of 1965 ex. sess. and RCW 46.37.340.

Referred to Committee on Highways.

SENATE BILL NO. 24, by Senator Faulk:

An Act relating to municipal corporations; and adding a new section to chapter 84, Laws of 1965 1st ex. sess. and to chapter 36.64 RCW.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 25, by Senators Keefe, Greive and Cooney:

An Act relating to crimes and criminal procedures; defining certain crimes; adding new sections to chapter 9.68 RCW; prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 26, by Senators Keefe, Greive and Cooney:

An Act relating to crimes and criminal procedures; defining certain crimes; prescribing penalties; and adding new sections to chapter 9.68 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 27, by Senators Francis, Durkan and Greive:

An Act relating to persons eighteen years of age or older; amending section 1, page 407, Laws of 1854 as last amended by section 2, chapter 72, Laws of 1923, and RCW 26.28.010; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 1, chapter 230, Laws of 1963, and RCW 26.04.010; amending section 11.12.010, chapter 145, Laws of 1965 and RCW 11.12.010; amending section 3, chapter 57, Laws of 1911 as last amended by section 1, chapter 92, Laws of 1967, and RCW 2.36.060; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section .18.02, chapter 79, Laws of 1947 and RCW 48.18.020; and adding a new section to chapter 92, Laws of 1967 and to chapter 2.36 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 28, by Senator Dore:

An Act relating to hunting and fishing license fees.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 29, by Senator Odegaard:

An Act relating to state government; authorizing the use of swimming pool facilities; adding a new chapter to Title 72 RCW; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 30, by Senator Faulk:

An Act relating to railroads and the shoreline of Puget Sound; directing a study thereof; adding sections to Title 79 RCW; and making an appropriation.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 31, by Senators Odegaard, Wilson, Bailey and Canfield:

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

Referred to Committee on Education.

SENATE BILL NO. 32, by Senators Wilson, Odegaard, Huntley, Washington, Donohue and Canfield:

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

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 33, by Senator McCormack:

An Act relating to providing certain tax credits and exemptions for air and water pollution control facilities; 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; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 34, by Senator McCormack:

An Act relating to revenue and taxation; and amending section 10, chapter 146, Laws of 1967 ex. sess. and RCW 84.40.045.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 35, by Senator McCormack:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 36, by Senator McCormack:

An Act relating to property taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 37, by Senators Elicker and Huntley:

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

Referred to Committee on Education.

SENATE BILL NO. 38, by Senators Greive, Donohue, Peterson (Lowell) and Talley: An Act relating to state officials and employees; and amending section 43.03.050, chapter 8, Laws of 1965 as amended by section 1, chapter 77, Laws of 1965 ex. sess. and RCW 43.03.050.

Referred to Committee on State Government.

SENATE BILL NO. 39, by Senators Odegaard, Elicker and Pritchard (by Temporary Special Levy Study Commission request):

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 40, by Senators Mardesich, Foley, Atwood and Newschwander (by Legislative Budget Committee request):

An Act relating to taxing districts; amending section 7, chapter 59, Laws of 1955 and RCW 27.12.070; amending section 1, chapter 59, Laws of 1955 and RCW 27.12.222; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28.47.801; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.801; amending section 1, page 324, Laws of 1909 as last amended by section 1, chapter 142, Laws of 1969 and RCW 28.51.010; amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 142, Laws of 1969 and RCW 28A.51.010; amending section 2, page 324, Laws of 1909 and RCW 28.51.020; amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.020; amending section 1, chapter 62, Laws of 1965 and RCW 28.58.550; amending section 28A.58.550, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.550; amending section 35.37.040, chapter 7, Laws of 1965 and RCW 35.37.040; amending section 35.58.450, chapter 7, Laws of 1965 as last amended by section --, chapter --, (HB --), Laws of 1970 1st ex. sess. and RCW 35.58.450; amending section 35.61.100, chapter 7, Laws of 1965 and RCW 35.61.100; amending section 35.61.110, chapter 7, Laws of 1965 and RCW 35.61.110; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.090; amending section 36.67.010, chapter 4, Laws of 1963 and RCW 36.67.010; amending section 36.67.020, chapter 4, Laws of 1963 as amended by section 2, chapter 107, Laws of 1967 and RCW 36.67.020; amending section 13, chapter 218, Laws of 1963 and RCW 36.68.520; amending section 36.69.140, chapter 4, Laws of 1963 as last amended by section 5, chapter 26, Laws of 1969 and RCW 36.69.140; amending section 36.76.010, chapter 4, Laws of 1963 as amended by section 72, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.010; amending section 36.76.080, chapter 4, Laws of 1963 and RCW 36.76.080; amending section 2, chapter 4, Laws of 1917 and RCW 37.16.010; amending section 3, chapter 4, Laws of 1917 as amended by section 74, chapter 232, Laws of 1969 ex. sess. and RCW 37.16.020; amending section 4, chapter 107, Laws of 1937 and RCW 39.28.030; amending section 1, chapter 158, Laws of 1961 as amended by section 1, chapter 92, Laws of 1963 and RCW 39.30.010; amending section 1, chapter 143, Laws of 1917 as last amended by section 3, chapter 142, Laws of 1969 and RCW 39.36.020; amending section 31, chapter 181, Laws of 1961 and RCW 47.57.530; amending section 1, chapter 21, Laws of 1965 and RCW 52.08.080; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 4, chapter 176, Laws of 1953 and RCW 52.16.080; amending section 4, chapter 65, Laws of 1955 and RCW 53.08.030; amending section 12, chapter 65, Laws of 1955 as last amended by section 1, chapter 54, Laws of 1965 ex. sess. and RCW 53.36.030; amending section 7, chapter 1, Laws of 1931 as amended by section 14, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.018; amending section 42, chapter 210, Laws of 1941 as amended by section 15, chapter 140, Laws of 1945 and RCW 56.16.050; amending section 19, chapter 114, Laws of 1929 and RCW 57.20.110; amending section 20, chapter 114, Laws of 1929 and RCW 57.20.120; amending section 1, chapter 3, Laws of 1911 and RCW 88.32.230; amending section 134, chapter 254, Laws of 1927 and RCW 89.30.400; amending section 135, chapter 254, Laws of 1927 and RCW 89.30.403; amending section 16, chapter 26, Laws of 1965 as amended by section 8, chapter 164, Laws of 1967 and

RCW 86.05.920; adding a new section to chapter 39.36 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 41, by Senators Ridder and Peterson (Ted) (by departmental request):

An Act relating to hotels and motels and providing for inspection by the state department of health; amending section 43.22.050, chapter 8, Laws of 1965 and RCW 43.22.050; repealing section 43.22.060, chapter 8, Laws of 1965 and RCW 43.22.060; repealing section 43.22.070, chapter 8, Laws of 1965 and RCW 43.22.070; repealing section 43.22.080, chapter 8, Laws of 1965 and RCW 43.22.080; repealing section 43.22.090, chapter 8, Laws of 1965 and RCW 43.22.090; repealing section 43.22.100, chapter 8, Laws of 1965 and RCW 43.22.100; repealing section 43.22.110, chapter 8, Laws of 1965 and RCW 43.22.110; repealing sections 1 through 6, chapter 169, Laws of 1915, sections 1 through 11, chapter 29, Laws of 1909, and sections 1 and 2, chapter 48, Laws of 1905 and RCW 70.62.010 through 70.62.130; prescribing penalties; and providing an effective date.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 42, by Senators Twigg and Cooney (by departmental request):

An Act relating to insurance; creating the Washington Insurance Guaranty Association, a board of directors thereof, and setting out powers, duties and functions; providing for the termination of the association; adding a new chapter to Title 48 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 43, by Senators Gissberg, Walgren and Twigg:

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

Referred to Judiciary Committee.

SENATE BILL NO. 44, by Senators Gissberg, Walgren and Twigg:

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

Referred to Judiciary Committee.

SENATE BILL NO. 45, by Senators Gissberg, Walgren and Twigg:

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

Referred to Committee on State Government.

SENATE BILL NO. 46, by Senators Holman and Washington:

An Act relating to revenue and taxation; amending section 16, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.150; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 47, by Senators Andersen, Sandison, Marquardt, Canfield, Dore, Elicker, Faulk, Francis, Holman, McCormack, Matson, Peterson (Ted), Pritchard, Talley, Washington, Williams, Twigg, and Lewis (Harry) (by executive request):

An Act relating to state government; creating a state department of environmental quality and setting out its powers, duties and functions; creating an environmental quality advisory council and setting forth its powers, duties and functions; abolishing certain state agencies and transferring the powers, duties, and functions thereof, as well as transferring

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 48, by Senators Peterson (Ted), Canfield, McCormack, Dore, Andersen, Elicker, Faulk, Francis, Pritchard, Williams, Ridder, Washington and Greive (by executive request):

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 49, by Senators Canfield, Sandison, Pritchard, Andersen, Holman, McCormack, Peterson (Ted), Talley, Ridder, Peterson (Lowell) and Greive (by executive request):

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 50, by Senators Peterson (Ted), Walgren, Pritchard, Andersen, Elicker, Faulk, Herr, McCormack, Sandison, Williams, Connor, Washington and Talley (by executive request):

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

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 51, by Senators Peterson (Ted), Walgren, Metcalf, Faulk, Francis, Holman, McCormack, Pritchard, Williams, Connor and Washington (by executive request):

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

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by executive request):

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

72.01.020, chapter 28, Laws of 1959 and RCW 72.01.020; repealing section 72.01.030, chapter 28, Laws of 1959 as amended by section 1, chapter 134, Laws of 1967 and RCW 72.01.030; repealing section 72.01.040, chapter 28, Laws of 1959 and RCW 72.01.040; repealing section 1, chapter 169, Laws of 1953 and RCW 72.01.042; repealing section 2, chapter 169, Laws of 1953 and RCW 72.01.043; repealing section 1, chapter 293, Laws of 1959 and RCW 72.01.061; repealing section 2, chapter 293, Laws of 1959 and RCW 72.01.062; repealing section 4, chapter 293, Laws of 1959 and RCW 72.01.064; repealing section 5, chapter 293, Laws of 1959 and RCW 72.01.065; repealing section 6, chapter 293, Laws of 1959 and RCW 72.01.066; repealing section 7, chapter 293, Laws of 1959 and RCW 72.01.067; repealing section 72.01.070, chapter 28, Laws of 1959 and RCW 72.01.070; repealing section 72.01.080, chapter 28, Laws of 1959 and RCW 72.01.080; repealing section 72.01.330, chapter 28, Laws of 1959 and RCW 72.01.330; repealing section 72.01.340, chapter 28, Laws of 1959 and RCW 72.01.340; repealing section 72.01.350, chapter 28, Laws of 1959 and RCW 72.01.350; repealing section 72.01.360, chapter 28, Laws of 1959 and RCW 72.01.360; repealing section 72.02.010, chapter 28, Laws of 1959 and RCW 72.02.010; repealing section 72.02.020, chapter 28, Laws of 1959 and RCW 72.02.020; repealing section 72.02.030, chapter 28, Laws of 1959 and RCW 72.02.030; repealing section 3, chapter 134, Laws of 1967 and RCW 72.04A.010; repealing section 4, chapter 134, Laws of 1967 and RCW 72.04A.020; repealing section 5, chapter 134, Laws of 1967 and RCW 72.04A.030; repealing section 6, chapter 134, Laws of 1967 and RCW 72.04A.040; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; repealing section 72.06.020, chapter 28, Laws of 1959 and RCW 72.06.020; repealing section 72.06.030, chapter 28, Laws of 1959 and RCW 72.06.030; repealing section 72.06.040, chapter 28, Laws of 1959 and RCW 72.06.040; repealing sections 72.50.010 through 72.50.110, chapter 28, Laws of 1959 and RCW 72.50.010 through 72.50.110; repealing section 6, chapter 39, Laws of 1965 and RCW 74.36.050; providing for the expiration of certain sections and for certain effective dates.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 53, by Senators Williams, Holman, Faulk and Pritchard (by executive request):

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

section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 4, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 14, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.130; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; adding new sections to Title 46 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; adding a new section to chapter 14.04 RCW; adding new sections to chapter 43.59 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; repealing section 3, chapter 165, Laws of 1947 as amended by section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.060; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; repealing section 2, chapter 156, Laws of 1965 and RCW 46.01.020; repealing section 9, chapter 156, Laws of 1965 and RCW 46.01.090; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961 as amended by section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess. as amended by section 1, chapter 36, Laws of 1967 and RCW 91.12.030; and repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

Referred to Committee on Highways.

SENATE BILL NO. 54, by Senators Marquardt, Greive, Holman, Dore, Elicker, Francis, McCormack, Odegaard, Ridder and Washington (by executive request):

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

Referred to Judiciary Committee.

SENATE BILL NO. 55, by Senators Peterson (Ted), Dore, Washington and Greive (by executive request):

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 56, by Senators McDougall, Marquardt and Greive (by executive request):

An Act relating to state government; providing for the utilization of private enterprise to improve housing conditions for persons of low income; prescribing certain powers, duties,

and functions with respect to housing; authorizing the certification of nonprofit regional housing development corporations and prescribing certain of their powers, duties, and functions; and providing an effective date.

Referred to Committee on State Government.

SENATE JOINT MEMORIAL NO. 1, by Senators Durkan and McCormack:

Requesting the federal government to allow state to tax national banks.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE JOINT RESOLUTION NO. 1, by Senators Durkan and McCormack:

Amending Constitution to eliminate business and occupation taxes, inventory taxes and special levies during time of imposition of an income tax.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 2, by Senators Durkan, Donohue, Twigg, Greive, Woodall and Henry:

Constitutional amendment changing assessed valuation requirement to twenty-five percent in event HJR 42 fails to be approved by electorate.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 3, by Senator Durkan:

Amending Constitution to remove prohibition against Indian voting.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 4, by Senators McCutcheon, Stender, Twigg, Donohue, Durkan, Day, Talley and Knoblauch:

Providing for an assessed valuation of twenty-five percent of the true and fair value of property.

MOTION

Senator McCutcheon moved that Senate Joint Resolution No. 4 be advanced to second reading.

PARLIAMENTARY INQUIRY

Senator Atwood: "Can we vote on this measure today in any way because we are governed by the Constitution which provides reading on successive days?"

REPLY BY THE PRESIDENT

The President: "The President, Senator Atwood, believes that a majority of the members would be sufficient to carry any particular decision."

Senators McCutcheon, Talley and Greive demanded a roll call and the demand was sustained.

ROLL CALL

The Secretary called the roll and the motion failed by the following vote: Yeas, 22; nays, 26; excused, 1.

Voting yea: Senators Canfield, Connor, Cooney, Day, Donohue, Dore, Francis, Greive, Guess, Henry, Herr, Keefe, Knoblauch, Lewis (Brian), McCutcheon, Matson, Peterson (Lowell), Stender, Talley, Twigg, Wilson, Woodall—22.

Voting nay: Senators Andersen, Atwood, Bailey, Durkan, Elicker, Faulk, Foley, Gissberg, Huntley, Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Walgren, Washington, Williams—26.

Excused: Senator Holman—1.

Senate Joint Resolution No. 4 was referred to the Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 5, by Senators Holman, McCormack, Pritchard, Marquardt and Ridder:

Recommending the call of the convention to revise the Constitution.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe and Twigg:

Deleting prohibition against lotteries.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 7, by Senator Marquardt:

Amending state Constitution to require annual legislative sessions to meet on last four days of each month.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 8, by Senators Marquardt, Metcalf, Elicker, Faulk and Pritchard (by executive request):

Amending the Constitution to require annual sessions of the legislature.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 9, by Senators Marquardt, Greive, Lewis (Harry), Bailey, Dore, Elicker, Francis, Herr, Holman, McCormack, McDougall, Pritchard, Walgren, Wilson and Odegard (by executive request):

Proposing constitutional amendment to lower voting age to eighteen years.

Referred to Committee on Constitution, Elections and Legislative Processes.

MOTIONS

On motion of Senator Ryder, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, anyone desiring to add their name as an additional sponsor to bills on the docket may do so with the permission of the prime sponsors.

On motion of Senator Greive, additional sponsors were permitted on all bills prefiled by advising the Secretary of the Senate.

On motion of Senator Dore, Senators Gissberg, Mardesich and Stortini were permitted as additional sponsors to Senate Bill No. 19.

PERSONAL PRIVILEGE

Senator Peterson (Ted): "Mr. President, members of the Senate, I just wanted to say that I appreciate it and thank you very much for the cards and the floral arrangements you sent me when I was in the hospital. I think that this is the day when I should acknowledge the same. I did have a tough time of it, and I say that maybe it is only through the good fortune and the blessings of the Supreme Architect of the Universe that I am here today filling this seat. I want you to know how much I appreciate the things that were said and the floral arrangements that you, Mr. President, and the Secretary of the Senate provided for me. I appreciate it so much. Thank you very much."

MOTION

At 12:15 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Tuesday, January 13, 1970.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

SECOND DAY

MORNING SESSION

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

The Senate was called to order at 10:00 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the Call of the Chair. The President called the Senate to order at 10:20 a.m. The Secretary called the roll and announced to the President that all Senators were present except Senator Marquardt. On motion of Senator Andersen, Senator Marquardt was excused.

The Color Guard consisting of Pages Steven Burdick, Color Bearer, and Janet Berg, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Jesus said, 'Peace I leave with you; My peace I give unto you.'

"O God, from whom all holy desires, all good thoughts and all just actions do proceed; give to the members of this Senate of the state of Washington Your peace and Your blessing. May they seek from You wisdom, truth and understanding that the work they do for the people of our state may bring a better chance for all men to live the abundant life. Help them to remember the poor and those trapped by the cruelty of poverty, ignorance, fear and prejudice, and give them a will to create amongst us a better society for us all. These are not easy times and the problems before men, Our Father, are complicated. Help the members of this Senate to have the patience to seek fair and honorable solutions to them, that what is done here will be for the good of all the people in our state. Our prayer, O Lord, is for the courage to be honest, the zeal to be faithful public servants and the humility of heart to remember that You are the judge of all men. Hear our prayer, O God, for we offer it in the faith and name of Jesus Christ, Our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGE FROM THE HOUSE

January 12, 1970.

Mr. President: The Speaker has signed:

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

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

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

INTRODUCTION AND FIRST READING

SENATE BILL NO. 57, by Senators Walgren and Elicker:

An Act relating to property conveyance by governmental units to counties or park and recreation districts for park or recreational purposes; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

An Act relating to waterfront lands; and providing for restrictions on its use and the acquisition of scenic easements.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 59, by Senators Elicker, Gissberg, Atwood and Bailey:

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

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 60, by Senators Guess, Washington and Atwood:

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

Referred to Committee on Education.

SENATE BILL NO. 61, by Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren:

An Act relating to counties; authorizing the establishing, acquiring, developing, constructing and improving of open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities, and highways; amending section 1, chapter 109, Laws of 1967 and RCW 36.89.010; amending section 2, chapter 109, Laws of 1967 and RCW 36.89.020; amending section 3, chapter 109, Laws of 1967 and RCW 36.89.030; amending section 4, chapter 109, Laws of 1967 and RCW 36.89.040; amending section 5, chapter 109, Laws of 1967 and RCW 36.89.050; amending section 2, chapter 66, Laws of 1907 as last amended by section 9, chapter 204, Laws of 1941 and RCW 86.12.020; adding new sections to chapter 36.89 RCW; repealing section 8, chapter 109, Laws of 1967 and RCW 36.89.070; validating prior proceedings; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 62, by Senators Donohue, Woodall, Matson and McDougall:

An Act relating to agriculture; authorizing agricultural commissions to promote and advertise by various means; amending section 15.66.180, chapter 11, Laws of 1961 and RCW 15.66.180; amending section 15.28.100, chapter 11, Laws of 1961 and RCW 15.28.100; amending section 15.44.060, chapter 11, Laws of 1961 and RCW 15.44.060; amending section 15.24.160, chapter 11, Laws of 1961 and RCW 15.24.160; amending section 14, chapter 87, Laws of 1961 and RCW 15.63.140; and adding new sections to chapter 15.66 RCW.

Referred to Committee on Agriculture and Horticulture.

There being no objection, additional sponsors were permitted on Senate Bills Nos. 58, 59, 61 and 62.

SENATE BILL NO. 63, by Senators Donohue and Odegaard:

An Act relating to education; authorizing compensation to be paid to directors of school districts and to trustees of community college districts; adding a new section to chapter 28.58 RCW; adding a new section to chapter 8, Laws of 1967 ex. sess. and to chapter 28.85 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.58 and 28B.50 RCW; and providing a section to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW or of Titles 28A and 28B RCW.

Referred to Committee on Education.

SENATE BILL NO. 64, by Senators Donohue and Peterson (Lowell):

An Act relating to food fish and shellfish; providing for emergency alteration of streams by riparian owners; and amending section 75.20.100, chapter 12, Laws of 1955 as amended by section 1, chapter 48, Laws of 1967 and RCW 75.20.100.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 65, by Senators Faulk and Durkan:

An Act relating to taxation; and adding a new section to chapter 15, Laws of 1961 and to chapter 84.56 RCW.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 66, by Senators Holman, Gissberg and Williams (by Judicial Council request):

An Act relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 5, chapter 126, Laws of 1913 as last amended by section 3, chapter 133, Laws of 1965 and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 and RCW 10.01.112; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 67, by Senators Holman, Francis and Andersen (by Judicial Council request):

An Act relating to the election of the court of appeals judges by position number; and amending section 29.21.110, chapter 9, Laws of 1965 and RCW 29.21.110.

Referred to Judiciary Committee.

SENATE BILL NO. 68, by Senators Pritchard, Bailey and Holman:

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

MOTION

Senator Pritchard moved that Senate Bill No. 68 be advanced to second reading and read the second time in full.

Debate ensued.

Senators Gissberg, Greive and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Marquardt who had been previously excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTION

Senator Dore moved that Senate Bill No. 68 be held in the same position until Wednesday, January 14, 1970.

POINT OF INQUIRY

Senator Bailey: "Senator, what would be wrong with advancing this to second reading and holding it for tomorrow? This will give you time to have your amendments ready."

Senator Dore: "I would not want to interfere with the right of Senator Gissberg to make a speech tomorrow, but I think in order to intelligently handle this motion today I would not want to have any of you gentlemen vote on something which you have not even read. It is not even on our desks. So I think it would be kind of ridiculous for the Senate to pass such an important and controversial measure as an abortion bill today when every Senator has to admit they never read it. Now that is a rather ridiculous position to have us in, and so I think in order to save all the arguments and all the positions, my motion is merely to say hold everything in abeyance tomorrow at the same stage. Tomorrow we can take it up and argue whether or not it is so important that it has to go right through the Senate or whether or not it is important enough to hold and go into committee and be amended in committee. That is my position, Mr. President."

Senator Bailey: "That was a rather lengthy answer to a short question, but what I am getting at is that I think this has to be read in three successive days. I think the issue here is whether we take it away from Senator Gissberg's committee or not, and I think we are capable here in this next vote of deciding that yes or no. I think we should put it on second reading now."

There being no objection, Senator Dore withdrew his motion.

Senator Pritchard demanded a roll call and the demand was sustained by Senators Bailey, Metcalf, Talley, Guess, McCutcheon, Connor, Ridder, Peterson (Lowell) and Dore.

ROLL CALL

The Secretary called the roll, and the motion by Senator Pritchard to advance Senate Bill No. 68 to second reading failed by the following vote: Yeas, 13; nays, 35; excused, 1.

Voting yea: Senators Bailey, Elicker, Francis, Henry, Holman, Lewis (Brian), McCormack, McDougall, Metcalf, Peterson (Lowell), Pritchard, Washington, Williams—13.

Voting nay: Senators Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Gissberg, Greive, Guess, Herr, Huntley, Keefe, Knoblauch, Lewis (Harry), McCutcheon, Mardesich, Matson, Newschwander, Odegaard, Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—35.

Excused: Senator Marquardt—1.

Senate Bill No. 68 was referred to the Judiciary Committee.

SENATE BILL NO. 69, by Senators Pritchard, Atwood, Metcalf, Lewis (Harry), Canfield, Holman and Mardesich:

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

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 69.

SECOND READING

SENATE BILL NO. 8, by Senators Greive, Bailey, Ridder, Durkan, Stortini, Talley and Dore:

Defining terms and establishing pay schedules for unemployment compensation.

The Senate resumed consideration of Senate Bill No. 8.

POINT OF INQUIRY

Senator Williams: "Senator Greive, I think your caucus has been advised, hasn't it, that this bill is technically not correct in about fourteen or fifteen different ways?"

Senator Greive: "Mr. President and Senator Williams, it just happens that we have checked that out. The department played footsy with us last time with exactly the same amendments. They were incorporated into a bill put in by Senator Charette that was appreciably no different. There is only one amendment that is of any importance at all, and that is fixing the effective date. Now on that particular amendment, the department just has not put it up here. It is my feeling, if you want the honest-to-God truth, that the department is playing footsy. They do not want any bill to go through except one that they will compromise, and they are failing to supply us with the necessary information. At least this would be a declaration of intent if it goes through this way. We should satisfy the requirement for a second reading today. I think I speak for my caucus and I am sure that I speak for all the ones I was with this morning, we have no objections really to having amendments again tomorrow except that we would like to consider it and pass it tomorrow. For that reason I am not at all convinced that these amendments, technical as they are, are necessary to make the bill viable."

Senator Williams: "One other question, you are also aware that the council is trying to work out a bill that will pass both Houses rather than a bill that passes one House?"

Senator Greive: "That is one good argument. The only problem is that I understand they had a meeting down in the Governor's office yesterday at which Senator Bailey went as an observer—I understand I was invited, but I had other matters in Seattle—and we understand that they are not getting very far in the negotiations. I think I speak safely for the majority of this body by saying that anything that we feel would hurry negotiations

along would be a good thing. We would like to place ourselves on record, and we would like everybody to understand what we want. If we have to take something less, I think you will find us very cooperative."

Senator Williams: "One last question, I understand then that you have no intention of trying to pass this today so that the matter is still before us tomorrow?"

Senator Greive: "No, technically it has to be read in three successive days. This will satisfy the second reading. We have to work out our problem with the rules; but if we do not pass a rule that restricts it so that we can consider amendments tomorrow, I have no objection whatsoever to having all of your amendments ready and to considering them and debating to some length. Just so we can pass it on the same day."

Senator Williams: "Mr. President, I think there are a number of things wrong with moving so fast. We are falling into a very dangerous path of just following the old rut we have been in for the last ten years. The members had been hoping we would follow some other course of action which would lead to a solution to this problem rather than just playing games with it. Since we are not deciding anything today, I will offer no motion at this time."

POINT OF INQUIRY

Senator Ryder: "Is there a motion to have this hold its place on second reading calendar for tomorrow?"

REPLY BY THE PRESIDENT

The President: "Not as yet, Senator Ryder."

POINT OF ORDER

Senator Greive: "It has to be read in three successive days. There is no second reading calendar as such, so I do not think that such a motion is necessary. I do not want to be locked into something that we could not consider tomorrow; that is the only problem."

POINT OF INQUIRY

Senator Ryder: "Mr. President, that is exactly what I was getting at. If we had a motion to hold this on second reading tomorrow, then it would have to be held over for another day. Is that correct?"

Senator McCormack: "Mr. President, if I may comment on this question, it would seem to me that if we have this bill on second reading today, then it would advance to third reading tomorrow. If we have no rules, we can amend it tomorrow by a majority vote. If we have rules, we can then suspend them and move back to second reading tomorrow again; but if we hold it off until tomorrow, that would cause a day's delay. This is what we are trying to avoid."

Senator Ryder: "Mr. President, this is exactly my point. I think they should hold it to place on second reading calendar for tomorrow, so that we can be sure that the amendments will be considered on the floor."

Senator Greive: "Senator Ryder, I do not think that we as the majority are going to not consider amendments when we said that we will. Our caucus has no desire not to consider the amendments. We just want all three days, and we do not want an extra day's delay. I do not think you need to be very troubled by the fact that we will consider amendments tomorrow; I think we also want to be in a position to vote on final passage tomorrow. Just so that everybody understands, it is my recollection that the Secretary did reread the last line of the bill."

REPLY BY THE PRESIDENT

The President: "Yes, and the next step, Senator Greive, is to read the title. If there are no objections, the Secretary will read the last word of the title."

Senate Bill No. 8 was ordered to retain its position on Wednesday, January 14, 1970.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

POINT OF INQUIRY

Senator Atwood: "Senator Greive, yesterday we were told we were going to adopt the rules this morning first thing, and now it has been put off until tomorrow apparently. Are you intending to adopt rules tomorrow, and are we going to be in limbo again for a number of days?"

Senator Greive: "Well, it is the decision of our caucus that we have a number of suggested rule changes. We were involved with a number of things today in the caucus. I will let Senator Bailey go into what details, but they were matters which dealt directly with the Governor's message, the length of the session, and other matters. We were ten minutes over, and finally it was decided in the last minute that we had these amendments and that we would like to at least have a caucus on them and discuss them. I presume that we will be taking up rules tomorrow, but we at least want to know what the rules changes are, and let those who want to change the rules have the maximum chance to persuade the members. You and I are both aware it is hard to persuade here on the floor. It is a lot easier to persuade in caucus where you can have the give and take, and rather than to deprive those who have legitimate reason I want to change the rules. Once we have had this discussion we will have no objection at all to adopting permanent rules."

MOTION

At 11:20 a.m. on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Wednesday, January 14, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRD DAY

MORNING SESSION

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

The Senate was called to order at 10:00 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the call of the Chair. The President called the Senate to order at 10:25 a.m. The Secretary called the roll and announced to the President that all Senators were present except Senators Lewis (Brian), Peterson (Ted) and Ridder. On motion of Senator Ryder, Senator Peterson (Ted) was excused. On motion of Senator Andersen, Senator Lewis (Brian) was excused. There being no objection, Senator Ridder was excused.

The Color Guard consisting of Pages Les Matson, Color Bearer, and Brenda Biggs presented the Colors. Reverend Elmer B. Christie, pastor of St. John's Episcopal Church of Olympia offered prayer as follows:

"Eternal God, Our heavenly Father, we are grateful for the gift of another day in which to serve Thee and we pray now especially for Thy presence and power at this session of the Senate of the state of Washington. Grant to the Lieutenant Governor and to each member a sense of high responsibility to work diligently for the welfare of Thy people in this commonwealth. In all their deliberations let patience with differing opinions prevail and all conclusions be determined in a spirit of brotherly kindness. May the good government of all citizens be the product of the work done this day. We make our petitions in the name of Our Lord and Saviour, Jesus Christ. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGE FROM THE HOUSE

January 13, 1970.

Mr. President: The House has adopted: SENATE CONCURRENT RESOLUTION NO. 1 with the following amendments:

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

On page 2, line 2, after "the" and before "day" strike "eighth" and insert "sixth"

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

On page 2, line 13, after "the" in line 12 and before "day" in line 13, strike "nineteenth" and insert "twenty-sixth", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senator Greive moved that the Senate concur in the House amendments to Senate Concurrent Resolution No. 1.

Debate ensued.

The President declared the question before the Senate to be the passage of Senate Concurrent Resolution No. 1 as amended by the House.

Senate Concurrent Resolution No. 1 as amended by the House was adopted.

Senators Greive, Henry and Washington demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Ridder who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 70, by Senators Stender, Henry and Cooney:

An Act relating to education; amending section 2, chapter 68, Laws of 1955 as last amended by section 3, chapter ---, Laws of 1970 ex. sess. (HB ---) and RCW 28.58.100; amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100; and providing a section to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Title 28A RCW.

Referred to Committee on Education.

SENATE BILL NO. 71, by Senators Talley, Bailey and Atwood:

An Act relating to game; and imposing restrictions on the taking of female deer and female elk.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 72, by Senators Elicker, Odegaard and Pritchard (by Temporary Special Levy Study Commission request):

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 73, by Senators Ridder, Keefe and Stortini:

An Act relating to education and to the employment of classified or noncertificated employees therein; adding new sections to Title 28 RCW; adding new sections to Title 28A RCW; and providing a section to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW or of Title 28A RCW.

Referred to Committee on Education.

SENATE BILL NO. 74, by Senators Washington, Donohue, Henry, Gissberg, Wilson and Huntley:

An Act relating to the state budget; amending section 1, chapter 282, Laws of 1969 ex. sess.; and declaring an emergency.

Referred to Committee on Ways and Means—Appropriations.

MOTION

On motion of Senator Washington, additional sponsors were permitted on Senate Bill No. 74.

SENATE BILL NO. 75, by Senator Walgren (by Municipal Committee request):

An Act relating to cities and towns and amending section 35.02.150, chapter 7, Laws of 1965 and RCW 35.02.150; amending section 35.13.015, chapter 7, Laws of 1965, as last amended by section 7, chapter 73, Laws of 1967, and RCW 35.13.015; amending section 35.13.020, chapter 7, Laws of 1965, as last amended by section 8, chapter 73, Laws of 1967, and RCW 35.13.020; amending section 35.13.040, chapter 7, Laws of 1965 and RCW 35.13.040; amending section 35.13.050, chapter 7, Laws of 1965 and RCW 35.13.050; amending section 35.13.060, chapter 7, Laws of 1965 and RCW 35.13.060; amending section 35.13.080, chapter 7, Laws of 1965, as last amended by section 10, chapter 73, Laws of 1967, and RCW 35.13.080; amending section 35.13.090, chapter 7, Laws of 1965, as last amended by section 11, chapter 73, Laws of 1967, and RCW 35.13.090; amending section 35.13.100, chapter 7, Laws of 1965, as last amended by section 12, chapter 73, Laws of 1967, and RCW 35.13.100; amending section 35.13.110, chapter 7, Laws of 1965, as last amended by section 12, chapter 73, Laws of 1967, and RCW 35.13.110; amending section 35.13.125, chapter 7, Laws of 1965, as amended by section 10, chapter 88, Laws of 1965 ex. sess., and RCW 35.13.125; amending section 35.13.130, chapter 7, Laws of 1965, as amended by section 11, chapter 88, Laws of 1965 ex. sess., and RCW 35.13.130; amending section 35.13.160, chapter 7, Laws of 1965, as amended by section 12, chapter 88, Laws of 1965 ex. sess. and RCW 35.13.160; amending section 35.13.171, chapter 7, Laws of 1965 and RCW 35.13.171; amending section 35.13.172, chapter 7, Laws of 1965 and RCW 35.13.172; amending section 35.13.173, chapter 7, Laws of 1965 and RCW 35.13.173; amending section 35.13.174, chapter 7, Laws of 1965 and RCW 35.13.174; amending section 35.13.175, chapter 7, Laws of 1965 and RCW 35.13.175; and adding a new section to chapter 35.13 RCW.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 76, by Senator Walgren (by Municipal Committee request):

An Act relating to cities and towns, concerning annexation; adding new sections to chapter 7, Laws of 1965, and to chapter 35.13 RCW; and amending section 35.13.172, chapter 7, Laws of 1965 and RCW 35.13.172.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 77, by Senator Walgren (by Municipal Committee request):

An Act relating to municipalities; amending section 35.23.352, chapter 7, Laws of 1965 as amended by section 1, chapter 114, Laws of 1965 and RCW 35.23.352; and amending section 2, chapter 183, Laws of 1923 as amended by section 1, chapter 70, Laws of 1967 and RCW 39.04.020.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 78, by Senators Walgren and Twigg (by Municipal Committee request):

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

Referred to Committee on State Government.

SENATE BILL NO. 79, by Senator Walgren (by Municipal Committee request):

An Act relating to cities, towns and counties, requiring that claims for damages be presented to appropriate officials of such cities, towns and counties as conditions precedent to the maintenance of civil damage actions against the employees thereof for injuries caused by them acting in the scope of their employment; amending section 35.31.010, chapter 7,

Laws of 1965 as amended by section 11, chapter 164, Laws of 1967 and RCW 35.31.010; amending section 35.31.020, chapter 7, Laws of 1965 as amended by section 12, chapter 164, Laws of 1967 and RCW 35.31.020; amending section 35.31.040, chapter 7, Laws of 1965 as amended by section 13, chapter 164, Laws of 1967 and RCW 35.31.040; and amending section 36.45.010, chapter 4, Laws of 1963 as amended by section 14, chapter 164, Laws of 1967 and RCW 36.45.010.

Referred to Judiciary Committee.

SENATE BILL NO. 80, by Senators Walgren, Twigg, Andersen, Durkan and Mardesich (by Municipal Committee request):

An Act relating to state government; creating a new division; making an appropriation; adding new sections to chapter 18.64 RCW; and declaring an emergency.

Referred to the Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 80.

SECOND READING

SENATE BILL NO. 8, by Senators Greive, Bailey, Ridder, Durkan, Stortini, Talley and Dore:

Defining terms and establishing pay schedules for unemployment compensation.

The Senate resumed consideration of Senate Bill No. 8 on second reading.

The bill was read the second time by sections.

MOTION

On motion of Senator Greive, the following amendments were adopted:

On page 2, section 3, line 30, after "section" and before "if" strike "8" and insert "9"

On page 4, section 4, line 20, following "after" and before "include", strike "July 5, 1970," and insert "July 3, 1971,"

On page 4, section 4, line 26, following "after" and before "had" on line 27, strike "July 5, 1970," and insert "July 4, 1970,"

On page 4, section 4, line 20, after "That" and before "any" insert "for the benefit years beginning prior to July 4, 1971"

On page 7, strike all the material beginning with "Within" on line 2, down through "section," on line 21, and insert:

"NEW SECTION. Sec. 8. Within a reasonable time after the computation date, each employer shall be notified of the total amount of benefits charged to his account during the twelve-month period immediately preceding the computation date and, upon request, the amount of such charges with respect to each individual receiving unemployment benefits charged to his account.

Within a reasonable time after the computation date each employer shall be notified of his rate of contribution as determined for the succeeding rate year.

Any employer dissatisfied with the benefit charges made to his account or with his determined rate may file a request for review and redetermination with the commissioner within thirty days of the mailing of the notice to the employer, showing the reason for such request. Should such request for review and redetermination be denied, the employer may, within ten days of the mailing of such notice of denial, file with the appeal tribunal a petition for hearing which shall be heard in the same manner as a petition for denial of refund. The appellate procedure prescribed by this title for further appeal shall apply to all denials of review and redetermination under this section."

On page 7, section 9, line 29, after "sections" and before "of" strike "9 through 15" and insert "8 and 10 through 16"

On page 10, section 10, line 25, following "March 31st" strike all the material beginning with "except" down through "subsection" before the period on line 29.

On page 10, section 10, line 30, following "least" and before "of" strike "ten one-hundredths" and insert "one-tenth"

On page 11, section 11, line 12, following "in" and before "as" strike "RCW 50.20.120" and insert "RCW 50.20.010 as amended in this 1970 act"

On page 11, line 15, strike all of section 12, and insert:

"NEW SECTION. Sec. 12. For the purpose of prorating benefit charges "wages" shall mean "wages" as defined for purpose of payment of benefits in section 3 of this 1970 amendatory act."

On page 13, section 13, line 23, following "Less than" strike "0.001" and insert "0.0010"

On page 13, section 13, line 24, before "-0.0039" strike "0.0001" and insert "0.0010"

On page 16, section 15, line 21, following "title" and before the period insert "PROVIDED, That if all of the predecessor's experience with payrolls and benefits is

transferred to a successor or successors, the predecessor shall not be a qualified employer within the meaning of section 9 of this act until his account following the date of the transfer has been chargeable with benefits throughout not less than thirty-six consecutive months immediately preceding the computation date"

On page 20, section 21, line 7, following "Sections" and before "through" strike "9" and insert "8"

On page 20, section 23, beginning on line 23, before "of" strike "8" and insert "9"

MOTION

Senator Greive moved adoption of the following amendment:

On page 5, section 5, beginning on line 28 after "June 30th" strike all of the material through and including "June 30th" on line 29, and insert "and December 31st to apply to benefit years immediately following such June 30th and December 31st"

Debate ensued.

MOTION

Senator Williams moved that Senate Bill No. 8 be held on the second reading calendar for Tuesday, January 20, 1970.

Debate ensued.

On motion of Senator McCutcheon, the motion by Senator Williams was laid upon the table.

The motion by Senator Greive carried and the amendment to page 5, section 5 was adopted.

Senator Greive moved adoption of the following amendment:

On page 6, section 6, beginning on line 6 strike all of the material beginning with "On or before" through and including "that year" on line 11, and insert "An "average annual wage" and an "average weekly wage" shall be computed twice each year on or before the 15th day of June for the preceding calendar year and on or before the 15th day of December for the fiscal year ending the previous June 30th. These amounts shall be computed from information for the preceding calendar or fiscal year reported by all employers as defined in RCW 50.04.080 on employers' contribution reports (including corrections thereof) filed within three months after the close of the applicable calendar or fiscal year"

Debate ensued.

The motion carried and the amendment to page 6, section 6, was adopted.

On motion of Senator Stender, the following amendments were adopted:

On page 18, section 19, line 3, after "rule" insert " , who have made application for their pension benefits."

On page 20, section 23, line 22, after "effect" strike "July 6" and insert "March 1st"

On motion of Senator Greive, Engrossed Senate Bill No. 8 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Atwood: "As Senator Williams said, we want to give notice to put a protest in the journal since there are no rules so that we will not be precluded after the adoption of any rules by making a statement for the journal."

Senator Greive: "I am certain we proposed that we adopt the rules of last session to be the permanent rules of this session, and Rule 28 gives you all the rights. I think it would be very wrong to deny you that right."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 8, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Metcalf,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—36.

Voting nay: Senators Atwood, Elicker, Guess, Huntley, Lewis (Brian), McDougall, Matson, Pritchard, Ryder, Twigg, Williams, Woodall—12.

Excused: Senator Ridder—1.

ENGROSSED SENATE BILL NO. 8, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PROTEST OF VOTE

The undersigned members of the Senate protest the action of the majority party in bringing this unemployment compensation bill to a hasty vote at this time. This action today in complete disregard of serious negotiations now going on between members of both houses and both parties can only make it more difficult to achieve the necessary agreement on a bill that can pass both houses of the legislature. For the past eight years we have failed to meet the need for improving our unemployment compensation laws because the two houses of the legislature have repeatedly each passed bills representing their views without ever arriving at a bill that would pass both houses—thus doing nothing more than making a record but accomplishing nothing. This session we had hoped to avoid this practice of taking positions and rather to negotiate more flexibly in order to achieve the necessary compromises. The Senate action in ramming this bill through on the third day of the legislative session has made this more difficult and has accomplished nothing.

We support and urge the adoption of a bill giving increased benefits similar to those in this bill but we know this will only be effective if the bill contains safeguards sought by the House. Such safeguards are not in the Senate bill rushed through today. We will continue to work toward this effort notwithstanding the political grandstanding represented by today's action.

Signed by: Senators Atwood, Ryder, Williams, McDougall, Elicker, Guess, Lewis (Brian), Matson and Woodall.

MOTIONS

Senators Greive and Atwood moved that the record show that the rules of the last regular session serve as the permanent rules of this second extraordinary session.

There being no objection, Senator Newschwander was excused.

On motion of Senator Wilson, the following amendment to the Senate Rule 46 by Senators Washington, Wilson, Holman and Marquardt was adopted:

Add a new paragraph to Rule 46 under "Rules Committee Daily Calendar".

"The calendar, except in emergent situations, as determined by the committee on rules and joint rules, shall be on the desks of the senators each morning and shall cover the bills for consideration on the next following day."

On motion of Senator Greive, the following amendment to Senate Rule 61 was adopted:

Strike the first paragraph and insert: "Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: PROVIDED, HOWEVER, That after the forty-ninth day of every regular session and after the twentieth day of this extraordinary session this rule may be suspended by a majority vote."

Senator Pritchard moved adoption of the following amendment to the Senate Rules:

Amend Rule 61 of the Rules of the First Extraordinary session of the 41st Session of the Washington Legislature. On page 292 of the printed rules, after the words "Rule 47" on the fourth line thereof insert a new paragraph to read: "Bills reported out of standing committee with a do pass recommendation shall be placed upon the calendar for second reading by the committee on rules and joint rules within seven days of receipt thereof, unless otherwise ordered by the Senate, and shall be placed upon the calendar for third reading and final passage within two days after second reading, unless otherwise ordered by the Senate."

POINTS OF INQUIRY

Senator Dore: "Senator, last session you were the chief sponsor of the abortion bill, and I think you are again this session. I think you said publicly a number of times that the abortion bill was killed last time by the Senate Rules Committee, and I am wondering if the purpose of the sponsors of this rule change is to expedite the passage of the abortion bill this time."

Senator Pritchard: "Oh, obviously this is much more serious than just one bill. I am surprised that Senator Dore would not recognize that fact. This is going to have a long-range effect on the operation of this State Senate. This is going to affect the committee system, and it is not just one bill. This is not one bill but a long-range effect on how this State Senate operates, and I believe that we are capable of having good standing committees. I believe that our founding fathers set up a good system, and I am sorry we have gotten away from it. I am not concerned; I have faith in Senator Gissberg handling that bill properly. I am not at all worried about his committee, how he is going to operate and give it a good hearing. I have talked with Senator Gissberg, and I am convinced that he is going to have the members vote on that bill. I am back to the fundamental issue.

"The answer to your question is I am doing this because I believe, I firmly believe, that this Senate will be better off if we improve the committee system; and the way we will improve the committee system is make the standing committees responsible and not have this safety valve of this Rules Committee to take the heat."

Senator Dore: "I asked the question, Senator, and I appreciate your remarks but my specific question to you is, is the purpose or one of the purposes of your concern for passage of this particular rule to expedite the passage of the abortion bill through this body? Yes, no, maybe, or whatever it is."

Senator Pritchard: "I will say again that I doubt with a twenty-one day limit or a thirty-day limit that this amendment would have much effect on this particular session, and I do not think it will, to answer your question."

On motion of Senator Talley, the amendment was laid upon the table.

Senator Wilson moved adoption of the following amendment by Senators Wilson, Washington and Holman:

"VOTE ON FREE CONFERENCE COMMITTEE REPORT

NEW RULE. Rule 72: No floor vote may be taken on any free conference report within twenty-four hours of its placement on each member's desk, unless the free conference committee made no changes in the bill as it was last acted upon by the senate."

Debate ensued.

Senator Stender moved adoption of the following amendment to the amendment by Senators Wilson, Washington and Holman:

After "report" and before "within" insert "if objections to consideration are made by one-sixth of the senators present."

President Pro Tempore Henry presiding.

POINTS OF INQUIRY

Senator Canfield: "Senator Wilson, I believe this new rule is suggested because of some problem that arose from the last free conference report; is that correct?"

Senator Wilson: "That is correct."

Senator Canfield: "Well, I feel the same way, and I am referring specifically to this remote and necessary clause with application to public schools. Now I think your rule change here is good in that it is pointed toward that problem. I am just wondering if this will cure it. The chairman of the House Appropriations Committee, for instance, and he was also chairman of the Budget Committee, is reported to have said that he did not know that was in there. Do you think this rule will reflect these flaws if our leaders do not point them out?"

Senator Wilson: "To reply to your question, Senator Canfield, the desirability of a rule such as this was brought to my attention not only by the matter that you referred to but I think even more so by the very thick free conference reports of which there were several dealing with education and other areas. Granted, I think all of us could have read the budget bill for forty-eight hours at the close of the last session and probably still not have detected the minute change in language which has created the remote necessary problem. I am thinking not so much of an instance like that as I am of the typical, bulky free conference bill, particularly those under which new language has been injected. With respect to Senator Stender's proposed amendment, while I respect his reasoning on the matter, I would rather see the amendment remain unchanged so that as a matter of routine these free conference reports would be held up for at least twenty-four hours unless a substantial number of members of this body took positive action in order to suspend this particular rule."

Senator Bailey: "I see a mechanical problem here and I hate to be a monkey wrench in the gears but once a conference committee reports, the report cannot be amended. It has to be a "Yea" or "Nay" vote. The question I am asking is this, if the conference committee reports twenty-four hours ahead of time, does this mean the conference committee is thereby discharged of conferring or are they going to issue a preliminary report so that we can look it over and see what changes have been made? Senator Wilson's idea is that we see

the report before we vote on it. However, I can see a problem here. If the conference committee does find a problem there is not a thing in the world we can do about it. I would like to ask you the mechanics of that."

Senator Foley: "You stated exactly the flaw in this particular approach because you have to on the floor either vote the entire bill in or vote it down. Now if there is one minor item, the free conference committee has been discharged by that time; and if there is one minor item or even a major item, the entire rule has to be changed as Senator Gissberg has suggested so that conference committees cannot go in and change entire sections of law or put in new entire sections of law. You are going to have to limit the powers of free conference committees in order to meet the objections that Senator Wilson has put out but what you have stated is exactly true."

Senator Mardesich moved adoption of the following amendment to the amendment by Senator Stender:

Strike "one-sixth" and insert "one-third"

MOTION

Senator Gissberg moved that the amendment by Senator Mardesich be laid upon the table.

POINT OF ORDER

Senator Gissberg: "My point of order is whether or not my motion should carry to lay upon the table the amendment by Senator Mardesich, would this also carry the amendment by Senator Stender with it?"

"Senator Mardesich's amendment is not in order. It is an amendment to an amendment to an amendment which is not in order; and if you will so rule and then recognize me, I will dispose of the other problem. We are operating under common law rules of Reed's or any other parliamentary rule that has to be recognized. There is a common law body of rules of procedure unprinted that has been established by the courts, and I am sure that the presiding officer with his vast experience in the legal field understands that fundamental fact and will rule accordingly."

REPLY BY THE PRESIDENT

President Pro Tempore Henry: "Not being an attorney, Senator, I only recall the words 'common law' in relation to marriage. I do not recall or think about it in any other concept."

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.
At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:40 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:40 p.m.

RULING BY THE PRESIDENT

The President: "In ruling upon the point of order as presented by Senator Gissberg regarding the amendment by Senator Mardesich, in the opinion of the President, your motion would not take the amendment with it, Senator Gissberg."

The motion by Senator Gissberg carried. The amendment to the amendment to the amendment to the Senate Rules was laid upon the table.

The Senate resumed consideration of the amendment to the Senate Rules by Senators Wilson, Washington and Holman and the amendment to the amendment by Senator Stender as amended by Senator Mardesich.

On motion of Senator Gissberg, the amendment to the amendment by Senator Stender was laid upon the table.

The amendment by Senators Wilson, Washington and Holman adding NEW RULE 72 was adopted.

The motion by Senators Greive and Atwood carried. The rules of the last regular session, as amended, become the permanent rules of the second extraordinary session of the forty-first legislature.

MOTION

At 1:55 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Thursday, January 15, 1970.

JOHN A. CHERBERG, President of the Senate.
SIDNEY R. SNYDER, Secretary of the Senate.

FOURTH DAY

MORNING SESSION

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

The Senate was called to order at 10:30 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the call of the Chair. The President called the Senate to order at 10:50 a.m. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen and Lewis (Brian). On motion of Senator Atwood, Senators Andersen and Lewis (Brian) were excused.

The Color Guard, consisting of Pages Elmer Dones, Color Bearer, and Shelly Grabey presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia offered prayer as follows:

"Jesus said: 'My Father works until now, and I work'. O God, you are our Heavenly Father. We come to You this day before this session starts that we may find Your guidance and Your will for our daily work. Help us in this moment of prayer to be still and to listen for Your voice. Give us strength today, our Father, to live as those who know they are Your children and help us to be obedient to the highest Law we know and to be faithful to the highest good You have known to us. May this day's work be something in which we can take pride, something worthy of offering to You at its end, something we can find satisfaction in as we look back upon it. We ask this in the Name of one Who gave all He had that others might live more abundantly, Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Honorable Floyd Hicks, Representative from the Sixth District of the state of Washington and appointed a special committee consisting of Senators Walgren, Stortini, McCutcheon, Guess and Canfield to escort Representative Hicks to a place of honor upon the rostrum.

The President called on Senator Walgren to introduce the distinguished guest.

Senator Walgren: "Mr. President and members of the Senate, it is my privilege and honor this morning to introduce to all of you Congressman Floyd Hicks, United States Representative from the Sixth Congressional District. The district comprises the counties of Pierce, Kitsap, and a portion of King. Congressman Hicks has served with distinction in the United States House of Representatives for some three terms; and it is a real pleasure for us to have him visit with us this morning."

REMARKS BY CONGRESSMAN FLOYD HICKS

Congressman Hicks: "Senator Walgren, honorable senators, it is a real thrill and pleasure for me to be here this morning. I have seen the ceremony take place a number of times from the gallery in years past. This is the first time it happened to me. As I walked down the aisle a little bit nervous but it makes me feel very confident after being here talking a little with the members this morning, very confident that the affairs of the state of Washington are in such competent hands. I am very pleased to read in the press that you will be able to get all of them satisfactorily handled in thirty days. I appreciate the opportunity to be here; but since you have restricted your time to thirty days, I will not take any more of it. You can get on with the work of solving the State's problems, and thanks again for allowing me to come in and visit with you."

SIGNED BY THE PRESIDENT

The President signed:
SENATE CONCURRENT RESOLUTION NO. 1.

CHANGES IN COMMITTEE ASSIGNMENTS

The President announced the following changes in committee assignments:

Senator Henry, Rules and Joint Rules (replacing Senator Gissberg); Senator Gissberg, Chairman, Judiciary; Senator Walgren, Chairman, State Government; Senator Francis, Vice Chairman, Appropriations Committee (Ways and Means); Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Higher Education and Libraries; Judiciary.

On motion of Senator Atwood, the committee assignments were confirmed.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 81, by Senators Twigg and Bailey:

An Act relating to the fees of county officers; and amending section 36.18.020, chapter 4, Laws of 1963 as amended by section 9, chapter 26, Laws of 1967 and RCW 36.18.020.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 82, by Senators Woodall, Twigg, Greive and Cooney:

An Act relating to juries; and amending section 1, chapter 36, Laws of 1895 and RCW 4.44.380.

Referred to Judiciary Committee.

SENATE BILL NO. 83, by Senators Gissberg and Williams:

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

Referred to Judiciary Committee.

SENATE BILL NO. 84, by Senators Walgren, Bailey and Elicker:

An Act relating to counties; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020; amending section 36.27.060, chapter 4, Laws of 1963 as amended by section 2, chapter 226, Laws of 1969 ex. sess. and RCW 36.27.060; and amending section 36.32.320, chapter 4, Laws of 1963 as amended by section 4, chapter 218, Laws of 1967 and RCW 36.32.320.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 85, by Senators Atwood, Foley and Mardesich:

An Act relating to county property tax millage; amending section 36.32.350, chapter 4, Laws of 1963 and RCW 36.32.350; amending section 1, chapter 191, Laws of 1939 as amended by section 1, chapter 163, Laws of 1943 and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 11, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.010; amending section 16, chapter 110, Laws of 1967 ex. sess. and

RCW 71.20.110; and amending section 7, page 210, Laws of 1888 as last amended by section 1, chapter 57, Laws of 1969 and RCW 73.08.080.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 87, by Senators Lewis (Brian), Andersen and Knoblauch:

An Act relating to state parks and recreation; establishing the Lake Washington State Park and Nature Conservation Area; and providing for the acquisition of certain lands for parks and conservation purposes.

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 88, by Senators Washington, Wilson, Gissberg, Henry, Odegaard, Donohue, Bailey, Huntley, Durkan, McCormack, McDougall, Twigg, Guess, Peterson (Lowell), Woodall, Sandison and Canfield:

An Act relating to education; suspending a proviso; and declaring an emergency.

Referred to Committee on Ways and Means.

SENATE BILL NO. 89, by Senators Talley and Stender (by Legislative Council request):

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 90, by Senators Andersen and Walgren:

An Act relating to crimes; amending section 46.56.040, chapter 12, Laws of 1961 as amended by section 63, chapter 155, Laws of 1965 ex. sess., and RCW 46.61.520; amending section 16, page 78, Laws of 1854 as last amended by section 143, chapter 249, Laws of 1909 and RCW 9.48.060; adding a new section to chapter 12, Laws of 1961 and to chapter 46.61. RCW; amending section 138, chapter 249, Laws of 1909 and RCW 9.48.010; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 91, by Senators Mardesich, Walgren and Andersen:

An Act relating to criminal procedure; amending section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.105; and amending section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030.

Referred to Committee on Judiciary.

SENATE BILL NO. 92, by Senators Andersen and Walgren:

An Act relating to drugs; adding new sections to Title 69 RCW; and providing a penalty.

Referred to Judiciary Committee.

SENATE BILL NO. 93, by Senators Andersen and Walgren:

An Act relating to narcotic drugs, dangerous drugs and poisons; adding a new section to chapter 69.40 RCW; and amending section 69.33.300, chapter 27, Laws of 1959 as last amended by section 8, chapter 256, Laws of 1969 ex. sess. and RCW 69.33.300.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 94, by Senators Andersen, Walgren and Mardesich:

An Act relating to habitual criminals; amending sections 1 and 2, chapter 86, Laws of 1904 as amended by section 34, chapter 249, Laws of 1909 and RCW 9.92.090.

Referred to Judiciary Committee.

SENATE BILL NO. 95, by Senators Mardesich, Walgren and Andersen:

An Act relating to communications; prohibiting the interception, recording or divulging thereof; permitting certain exceptions for police officers; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.73 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 96, by Senators Andersen and Walgren:

An Act relating to criminal procedure and alibi witnesses; and creating a new section.

Referred to Judiciary Committee.

SENATE BILL NO. 97, by Senators Andersen and Walgren:

An Act relating to crimes and criminal procedure; creating a new section; and providing a penalty.

Referred to Judiciary Committee.

SENATE BILL NO. 98, by Senators Andersen and Walgren:

An Act relating to criminal procedure; and creating a new section.

Referred to Judiciary Committee.

SENATE BILL NO. 99, by Senators Walgren and Andersen:

An Act relating to juveniles; amending section 2, chapter 132, Laws of 1945 and RCW 13.04.130; and amending section 72.50.040, chapter 28, Laws of 1959 and RCW 72.50.040.

Referred to Judiciary Committee.

SENATE BILL NO. 100, by Senators Walgren and Andersen:

An Act relating to criminal procedure; and amending section 74, page 114, Laws of 1854 as last amended by section 43, chapter 28, Laws of 1891 and RCW 10.31.030.

Referred to Judiciary Committee.

SENATE BILL NO. 101, by Senators Walgren and Andersen:

An Act relating to poisons and dangerous drugs; and adding new sections to chapter 50, Laws of 1905, and to chapter 69.40 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 102, by Senators Washington, Odegaard, Stortini, Knoblauch, Marquardt, McCormack, Peterson (Ted), Talley, Henry, Metcalf, McCutcheon, Greive, Herr, Peterson (Lowell), Mardesich, Wilson, Bailey, Gissberg, Durkan, Cooney, Henry and Connor:

An Act relating to state government; creating a new division in the department of the board of education; prescribing certain powers and duties of certain public officers; adding a new section to chapter 28A.04; and declaring an effective date.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Bills Nos. 82, 86, 88 and 102.

SENATE RESOLUTION: 1970-EX-7

By Senators Dore, Mardesich, Durkan, Greive, Washington, Faulk, Williams, Marquardt, Holman and Pritchard:

WHEREAS, Dr. Martin Luther King dedicated himself to achieving a better world in his generation's time inhabited by peaceful men and women committed to direct action by nonviolent means; and

WHEREAS, The peoples and nations of the world recognized the greatness of Dr. King's work and the humanitarian ideals behind his accomplishments and achievements and as a result, were brought closer to his dream of a brotherhood of mankind; and

WHEREAS, He devoted his life to the poor man's dream of personal freedom with dignity and happiness and even gave his life to the fulfillment of that great dream; and

WHEREAS, His death may serve to remind us of mankind's capacity for evil, his memory shall serve to uplift and inspire the ideals of us all so that we may all join together in creating a better world not only for ourselves and ours but for our neighbors also; and

WHEREAS, His commitment to the American creed of life, liberty, and the pursuit of happiness for every person everywhere earned him the Nobel Prize and the admiration of his countrymen; and

WHEREAS, There are many men and women today who honor the life and memory of this great American who did not follow the path he led, while alive;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington declares that January 15, 1970, the forty-first anniversary of the birth of Dr. Martin Luther King, be designated as "Martin Luther King Day" and be remembered as "Human Rights Day" in honor of the ideals of this great man; and

BE IT FURTHER RESOLVED, That the senate of the state of Washington extends its continued warm regards to Mrs. Coretta King and her children and expresses the hope that they will succeed in their efforts to perpetuate the humanitarian efforts and good works of their husband and father and that America, in the words of Dr. King "will truly live up to its creed".

BE IT FURTHER RESOLVED, That suitable copies of this resolution be transmitted by the Secretary of the Senate to the widow and family of Dr. Martin Luther King, Jr.

On motion of Senator Dore, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Honorable Samuel B. McKinney, pastor of Mount Zion Baptist Church of Seattle and the Honorable Leonard Williams, pastor of the Baptist Temple of Shreveport, Louisiana, and appointed a special committee consisting of Senators Herr, Connor, Greive, Faulk, Williams, Ryder and Pritchard to escort the distinguished guests to a place of honor upon the rostrum.

PRESIDENT'S REMARKS

The President: "Reverend McKinney, Reverend Williams, Senator Dore, members of the Senate, ladies and gentlemen, the President believes at this time that it is appropriate to announce to Reverend McKinney and Reverend Williams that the Senate acted in unanimous approval of the adoption of a resolution commending Dr. Martin Luther King. The members of the Senate and the President with the cooperation of Mr. Snyder, the Secretary of the Senate, will provide you with a copy of this particular resolution which will be inscribed for your records and Reverend Williams' records. Senator Fred H. Dore, who has been a leader in the movement that was so forcefully led by Dr. Martin Luther King has arranged this particular program, and the President is sure that the members of the Senate will join with him in the thought that Senator Dore should be the person to conduct the program. At this time it is with pleasure and with pride that the President presents to the members of the Senate and the ladies and gentlemen present today the Honorable Fred H. Dore, Washington State Senator."

REMARKS BY SENATOR DORE

Senator Dore: "Thank you, President Cherberg, for those fine remarks. It is indeed an honorable occasion, a wonderful occasion to celebrate the birthday of Martin Luther King. The senators, of course, have already expressed their wishes on the matter by unanimously passing the resolution that the President spoke of. Today we are honored to have with us a distinguished visitor from Seattle, the Reverend Samuel McKinney, who is Past President of the Seattle Council of Churches. He is on the Mayor's Advisory Committee and pastor of Mount Zion Baptist Church on Nineteenth Avenue. He is a distinguished citizen of the area, a leader in the civil rights movement, and had the unique privilege and honor of being a freshman in college with Martin Luther King at Morehouse College in Atlanta, Georgia. So he knows personally a little bit about the man as well as his work, and today he is going to give us a message in reference to him and his birthday. At this time it is the extreme personal honor and privilege to me to introduce to you the Reverend Samuel McKinney."

REMARKS BY REVEREND MCKINNEY

Reverend McKinney: "Mr. President, Senator Dore, and members of the Senate, I have been asked to pay a tribute to the memory of Martin Luther King, Jr. Martin Luther King, Jr., Nobel Prize winner, humanitarian, third generation Baptist minister was born January 15, 1929, in Atlanta, Georgia. He was educated in the segregated public schools of Atlanta, and in September, 1944, he entered Morehouse College in Atlanta. I was also a member of that freshman class. From there he went to Crozer Theological Seminary in Chester, Pennsylvania, and later earned a Ph.D. Degree at Boston University. During his first pastorate in Montgomery, Alabama, he gave leadership to the Montgomery Improvement Association ending segregation on city buses and ushering in a new era of dignity for oppressed peoples. His leadership through the Southern Christian Leadership Conference gave youth a wholesome outlet for their ardor and enthusiasm through involvement in the struggle to liberate all men. He raised the lid on the legitimate aspirations of those who had been deprived and disenfranchised. From 1956 in Montgomery, Alabama, to that fateful day, April 4, 1968, in Memphis, Tennessee, Dr. King's sterling moral leadership was unequalled in twentieth century America. 1961, as a guest of the men of my church, He was denied use of the sanctuary of one of Seattle's leading churches because at that time he was considered too controversial.

I appreciate the action you have already taken, but let me challenge you to take additional action to proclaim January 15, the birthday of Martin Luther King, as a legal holiday in the state of Washington. Granted this action will not solve the many social problems confronting this state, but it will serve as a basis of commitment to make the state of Washington realize Dr. King's dream.

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

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

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

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

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

Because of Dr. King's dedication to the things that make for true peace, we pay tribute to him; but the best tribute we pay his memory is to fulfill his dream. Bullets may stop the dreamer, but bullets can never kill or eradicate a dream. Truth is marching on and will never be silent. Thank you."

The committee of honor escorted the visitors from the Senate Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of a delegation of Senators from the state of Nebraska and appointed a special committee consisting of

Senators Gissberg, Peterson (Ted), McCormack and Lewis (Harry) to escort the distinguished guests to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Senator Swanson to address the Senate.

The committee of honor escorted the visitors from the Senate Chamber.

MOTIONS

Senator McCormack was granted permission to use the Senate Chamber on Wednesday, 2:00 p.m., January 21, 1970 for the purpose of a public hearing by the Committee on Ways and Means—Revenue and Taxation.

At 12:00 noon, on motion of Senator Greive, the Senate adjourned until 10:30 p.m., Friday, January 16, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FIFTH DAY

MORNING SESSION

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

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Lewis (Brian) and Matson. On motion of Senator Atwood, Senators Lewis (Brian) and Matson were excused.

The Color Guard, consisting of Pages Steven Burdick, Color Bearer, and Julie Putnam presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, Who has filled the world with beauty and given it to us as our living place, help us to be good stewards of Your gifts. Grant that what the outward eye sees of Your creation's beauty, the inner spirit of many may savor, and we may be delivered from the dumb idols of our own greed, pollution and exploitation of Your creation. Help us to hear the words of Your prophet, 'What does the Lord Thy God require of Thee but to love mercy, to do justice and to walk humbly with Thy God?' As the custodians of the rights of all the people of this state, may the members of this Senate labor with courage and conviction for the erection of law which shall protect the virgin beauty of our land and give our people room in which to perceive and follow Your truth. Do not labor in emptiness and meaninglessness but labor to honor Thee and to lead men to revere dignity, personal worth and the value of the human individual. As the snow falls to cover up the ugliness of our waste, it also falls to give radiance to Your creation. Grant, O God, that we may live thankfully with Your gifts and use them for our well-being and the benefits of all people, through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION ON NOTICE OF SENATE RULES CHANGE

On motion of Senator Greive, notice was given that on the following day, Saturday, January 17, 1970, a Senate Rules change would be proposed.

REPORTS OF STANDING COMMITTEES

January 15, 1970.

SENATE BILL NO. 9, providing workmen's compensation for permanent partial disability (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Herr, Matson, Metcalf, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

January 15, 1970.

SENATE BILL NO. 10, providing for increase of benefits under workmen's compensation (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Herr, Matson, Metcalf, Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 14, 1970.

SENATE BILL NO. 22, enabling owners of destroyed motor vehicles to obtain refund to excise taxes paid (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Dore, Elicker, Foley, Guess, Herr, Lewis (Brian), McDougall, Mardesich, Marquardt, Matson, Peterson (Lowell), Pritchard, Ridder, Sandison, Stender, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 14, 1970.

SENATE BILL NO. 23, requiring braking equipment on cars and trailers (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Dore, Elicker, Foley, Guess, Herr, Lewis (Brian), McDougall, Mardesich, Marquardt, Peterson (Lowell), Pritchard, Ridder, Sandison, Stender, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

MESSAGE FROM THE HOUSE

January 15, 1970.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 3, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 103, by Senators Day and Woodall:

An Act relating to insurance; adding a new section to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 104, by Senators Day and Odegaard:

An Act relating to narcotic drugs; and amending section 69.33.290, chapter 27, Laws of 1959, as amended by section 1, chapter 97, Laws of 1959, and RCW 69.33.290.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 105, by Senators Odegaard, Newschwander and Foley (by departmental request):

An Act relating to the treatment and rehabilitation of persons admitted or committed to institutions under the supervision of the department of institutions; and declaring an effective date.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 106, by Senator Mardesich, Walgren and Andersen:

An Act relating to use and possession of firearms; amending section 4, chapter 172, Laws of 1935 as amended by section 3, chapter 124, Laws of 1961 and RCW 9.41.040; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 6, chapter 172, Laws of 1935 as last amended by section 5, chapter 124, Laws of 1961 and RCW 9.41.060; and amending section 7, chapter 172, Laws of 1935 as amended by section 6, chapter 124, Laws of 1961 and RCW 9.41.070.

Referred to Judiciary committee.

SENATE BILL NO. 107, by Senators Lewis (Brian), Andersen and Ridder:

An Act relating to safe walkways; amending section 1, chapter 17, Laws of 1967 ex. sess. and RCW 28.24.150; amending section 28A.24.150, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.150; and providing an expiration date of a section.

Referred to Committee on Education.

SENATE BILL NO. 108, by Senator Mardesich:

An Act relating to financial institutions.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 109, by Senator Mardesich:

An Act relating to transportation.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 110, by Senator Mardesich:

An Act relating to commerce and manufacturing.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 111, by Senator Mardesich:

An Act relating to transportation.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 112, by Senator Mardesich:

An Act relating to commerce and manufacturing.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 113, by Senator Mardesich:

An Act relating to banks and banking.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 114, by Senator Mardesich:

An Act relating to banks and banking.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 115, by Senator Mardesich:

An Act relating to insurance.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 116, by Senator Mardesich:

An Act relating to insurance.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 117, by Senator Mardesich:

An Act relating to public utilities.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 118, by Senator Mardesich:

An Act relating to utilities.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 119, by Senator Mardesich:

An Act relating to utilities.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 120, by Senators Mardesich and Dore:

An Act prohibiting attorney general from practice of law in his private capacity as attorney; amending section 43.10.010, chapter 8, Laws of 1965 and RCW 43.10.010; adding new sections to chapter 8, Laws of 1965 and to chapter 43.10 RCW; providing penalties; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 121, by Senators Stender, Gissberg and Peterson (Ted) (by departmental request):

An Act relating to boilers and pressure vessels; amending section 28, chapter 32, Laws of 1951 and RCW 70.79.290; amending section 32, chapter 32, Laws of 1951 as amended by section 1, chapter 217, Laws of 1963 and RCW 70.79.330; and repealing section 33, chapter 32, Laws of 1951 and RCW 70.79.340.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 122, by Senator Durkan:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 123, by Senator Durkan:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 124, by Senator Durkan:

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

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 125, by Senator Durkan:

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

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 126, by Senators Peterson (Ted), Talley, Stender and Francis:

An Act relating to elevators, other lifting devices and moving walks; amending section 3, chapter 26, Laws of 1963 and RCW 70.87.030; amending section 12, chapter 26, Laws of 1963 and RCW 70.87.120; and repealing section 13, chapter 26, Laws of 1963 as amended by section 3, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.130.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 127, by Senators Stender and Mardesich:

An Act relating to insurance; amending section .18.48, chapter 79, Laws of 1947 as amended by section 12, chapter 193, Laws of 1957, and RCW 48.18.080; amending section .18.34, chapter 79, Laws of 1947 and RCW 48.18.340; and adding new sections to chapter 79, Laws of 1947 and to Title 48 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 128, by Senators Lewis (Harry), Durkan, Walgren and Greive:

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

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 129, by Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell):

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

Referred to Committee on State Government.

SENATE BILL NO. 130, by Senators Talley, Atwood and Bailey:

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 131, by Senators Faulk, Walgren, Pritchard, Peterson (Ted), Dore, Holman, McDougall, Francis, Elicker, Metcalf, Ridder, Huntley, Atwood and Washington:

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

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 132, by Senators Bailey, Gissberg, and Peterson (Tèd):

An Act relating to the Washington state teachers' retirement system; amending section 48, chapter 80, Laws of 1947 as last amended by section 14, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.480; amending section 16, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.497; amending section 55, chapter 80, Laws of 1947 as last amended by section 20, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.550; amending section 4, chapter 76, Laws of 1957 as last amended by section 22, chapter 150, Laws of 1969 ex. sess. and RCW 28.81.170; amending section 28B.10.465, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 150, Laws of 1969 ex. sess. and RCW 28B.10.465; adding a new section to chapter 41.32 RCW; providing an effective date; and providing for the expiration of a section hereof.

Referred to Committee on Education.

SENATE BILL NO. 133, by Senators Cooney and Twigg (by departmental request):

An Act relating to insurance; creating the Washington Life Insurance Guaranty Association, a board of directors thereof, and setting out powers, duties and functions; providing for the disposition of association funds upon termination of the association; exempting the association from certain taxes; adding a new chapter to Title 48 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 134, by Senators Mardesich, Ryder and Durkan:

An Act relating to the supervisor of savings and loan associations; amending section 43.19.100, chapter 8, Laws of 1965 and RCW 43.19.100.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 135, by Senator Twigg:

An Act relating to mortgages and trust receipts; prohibiting the imposition of charges by the holder of any secured interest in land for assignment or transfer of secured property; adding a section to chapter 61.16 RCW; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 136, by Senator Mardesich:

An Act relating to financial institutions.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 137, by Senator Mardesich:

An Act relating to public utilities.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 138, by Senators Atwood, Walgren and Dore:

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

Referred to Judiciary Committee.

SENATE BILL NO. 139, by Senator Gissberg (by Legislative Council request):

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 140, by Senator Gissberg:

An Act relating to communications; prohibiting the interception, recording or divulging thereof; permitting certain exceptions for police and fire officers; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.73 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 141, by Senators Woodall, Greive, Cooney and Twigg:

An Act establishing crimes; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 142, by Senators, Washington, Bailey, Ridder and Greive:

An Act relating to taxation and revenue; amending section 84.40.030, chapter 15, Laws of 1961 and RCW 84.40.030; amending section 4, chapter -- (HB 34), Laws of 1970 ex. sess. and RCW 84.52.050; adding a new section to chapter 15, Laws of 1961, and to chapter 84.48 RCW; creating new sections; and repealing section 2, chapter 140, Laws of 1967 ex. sess. and RCW 28.48.120; repealing section 1, chapter 174, Laws of 1965 ex. sess., as amended by section 1, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.010; repealing section 2, chapter 174, Laws of 1965 ex. sess., as amended by section 2, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.020; repealing section 3, chapter 174, Laws of 1965 ex. sess., as amended by section 3, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.030; repealing section 4, chapter 174, Laws of 1965 ex. sess., as amended by section 4, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.040; repealing section 5, chapter 174, Laws of 1965 ex. sess., as amended by section 5, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.050; repealing section 6, chapter 174, Laws of 1965 ex. sess. and RCW 84.54.060; repealing section 6, chapter 146, Laws of 1967 ex. sess. and RCW 84.54.070; repealing section 8, chapter 146, Laws of 1967 ex. sess. as amended by section 1, chapter 242, Laws of 1969 ex. sess. and RCW 84.54.080; repealing section 9, chapter 146, Laws of 1967 ex. sess. and RCW 84.54.090; and providing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 143, by Senator Mardesich:

An Act relating to public utility districts and legal counsel therefor; amending section 36.27.020, chapter 4, Laws of 1963 and RCW 36.27.020; amending section 12, chapter 390, Laws of 1955 and RCW 54.16.110; adding a new section to chapter 54.16 RCW; adding a new section to chapter 2.44 RCW; providing penalties; and making an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 144, by Senators Durkan, Donohue and Stender:

An Act relating to property taxes; amending section 84.36.050, chapter 15, Laws of 1961 and RCW 84.36.050; and declaring an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 145, by Senators Williams, Ridder and Elicker (by Public Pension Commission request):

An Act relating to the retirement and pensions of law enforcement officers and fire fighters; amending section 33, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.104; amending section 34, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.250; and amending section 38, chapter 209, Laws of 1969 ex. sess. and RCW 41.16.145.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 146, by Senators Foley, Ryder and Walgren (by State Finance Committee request):

An Act relating to interest rates on obligations of the state and various political subdivisions thereof.

Referred to Committee on State Government.

SENATE JOINT RESOLUTION NO. 10, by Senators Woodall, Twigg, Faulk, Greive and Cooney (by Legislative Council request):

Permitting any elected county officer to hold office in two or more contiguous counties.

Referred to Committee on Constitution, Elections and Legislative Processes.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Bills Nos. 126, 128, 129, 131, 141, 142 and Senate Joint Resolution No. 10.

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

Commending development of Spokane Centennial celebration.

There being no objection, the rules were suspended and additional sponsors were permitted on Senate Concurrent Resolution No. 2.

On motion of Senator Guess, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Keefe, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

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

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

Referred to Committee on State Government.

SENATE RESOLUTION: 1970-EX-8

By Lieutenant Governor John A. Cherberg, Senators Bailey, Ryder, Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson and Woodall:

WHEREAS, Dwight L. Spracher, left this earth January 14, 1970; and

WHEREAS, The said Dwight L. Spracher has resided in the state of Washington since 1927; and

WHEREAS, Throughout his adult life Dwight L. Spracher has been active in the political life of the state and in the Democratic Party culminating in his having been State Treasurer of the Democratic Party in 1967, his being a delegate to the national convention of the Democratic Party in 1968, and in his service as State Chairman of the Democratic Party of the state of Washington at the time of his death; and

WHEREAS, Dwight L. Spracher established an exemplary reputation in business and in dedicated efforts in many charitable causes,

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington in extraordinary session of the Forty-first Legislature assembled, that the lamentable and untimely death of this universally respected and appreciated business and political leader be noted with utmost regret and that the condolences of the members of the Senate of the state of Washington be extended to his wife, Lillian, and to his family.

BE IT FURTHER RESOLVED, That this resolution be spread upon the journal and a copy thereof suitably inscribed be transmitted to Mrs. Lillian Spracher, the surviving widow of the deceased.

Senator Bailey moved the adoption of the resolution.

Pertinent remarks were made by Senators Bailey, Francis, Andersen and Dore; also Lieutenant Governor Cherberg in memory of Mr. Spracher.

The motion carried and the resolution was unanimously adopted.

MOTION

On motion of Senator Bailey, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEE

January 15, 1970.

SENATE BILL NO. 88, providing for certain high school and nonhigh districts to be declared remote and necessary for state aid purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Day, Donohue, Gissberg, Greive, Guess, Huntley, McCormack, Metcalf, Odegaard, Ryder, Sandison, Twigg, Washington, Wilson, Woodall.

MINORITY recommendation: Do not pass.

Signed by: Senators Marquardt, Peterson (Ted), Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

MOTION

At 11:15 a.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Saturday, January 17, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SIXTH DAY

MORNING SESSION

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

The Senate was called to order at 10:30 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the Call of the President. The President called the Senate to order at 10:45 a.m. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Henry, Huntley, Newschwander, Pritchard and Williams. On motion of Senator Atwood, Senators Huntley, Newschwander, Pritchard and Williams were excused. On motion of Senator Bailey, Senators Dore and Henry were excused.

The Color Guard consisting of Pages Les Matson, Color Bearer, and Debbie Atwood presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia offered prayer as follows:

"Almighty God, Our Heavenly Father, who declares Thy glory and shows for Thy handiwork in the heavens and in the earth, open our minds and stir our wills that we may be responsive to the leading of Your Spirit in all our daily works. We especially pray for the Governor and members of the legislature of this state of Washington as together they seek to serve all the people they represent. Save them from error and enable them faithfully to carry out their duties in honor and truth, that the political process of our state may be strengthened and the needs of all our people met. Give them a vision of Your Kingdom, O God, and let them be reminded in mind and spirit of Your love for all Your creation. May the words of Jesus, 'Blessed are they which do hunger and thirst after righteousness' come to them as though from Thee, and may they ever seek to be responsible to the needs of our society for leadership which is free from self-interest and special favor, that all our people may dwell together in peace and good will; through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGES FROM THE HOUSE

January 16, 1970.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 1, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

January 16, 1970.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 4, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

January 16, 1970.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 2, and the same herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SENATE RESOLUTION: 1970-EX-9

By Senators Canfield, Odegaard, Donohue, Washington, Matson, Wilson and Ridder:

WHEREAS, At the 40th Anniversary National Future Farmer Convention held in 1968, Bert L. Brown, Olympia, Washington received special recognition for distinguished services to vocational agriculture and the FFA; and

WHEREAS, Mr. Brown, who retired on December 22, 1969 began his service to vocational agriculture in 1927 as the instructor at Evergreen High School for a two-year tenure; and

WHEREAS, During his devoted service he also taught at Woodland from 1929 to 1935, at Kent from 1935 to 1940, served at Washington State University as a teacher trainer and supervisor from 1940 to 1945 and has served continuously as head supervisor and state advisor since 1945, for a total of forty-two and one half years of continuous service; and

WHEREAS, During his long tenure he has taught several thousand boys vocational agriculture, has contributed to the basic professional preparation of numerous vocational agriculture instructors and has directed the statewide program for a period of twenty-five years, wherein approximately 100,000 students have felt his influence and profited by his leadership and vast knowledge of vocational agriculture; and

WHEREAS, Although he acknowledges that not all students enrolling in vocational agriculture in high school will become full-time productive farmers, Bert Brown adds, "There's one thing we never want to forget, although sometimes we do, and it's this: agriculture is basic and vital. The need for individuals involved in producing our food and fiber will continue indefinitely"; and

WHEREAS, During his tenure as state advisor of the Future Farmers of America, eight individual members have been awarded the Pacific Regional Star American Farmer Degree of which two were awarded the coveted Star American Farmer Degree as the top American Farmer Degree recipient throughout the nation; and

WHEREAS, During this same period thirty-five individual Future Farmers have received either the Pacific Regional or National Award in Farm Proficiency with the state of Washington being the first state association to place a national winner in each of the possible award categories; and

WHEREAS, The Washington State Senate wishes to commend Bert L. Brown on his long and distinctive service to the Future Farmers of America and to all Washington agriculture;

NOW, THEREFORE, BE IT RESOLVED, That the Senate by this resolution pays tribute to Bert L. Brown for his leadership in vocational agriculture in Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution, under the seal of the Senate, be prepared for Bert L. Brown in appreciation for his great service to the Future Farmers of America and, particularly, to those thousands of young members of the FFA in the state of Washington who have profited from his teaching, leadership and dedication.

On motion of Senator Canfield, the resolution was adopted.

SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 2.

There being no objection, the Senate returned to the fifth order of business.

MOTION

Senator Ryder moved that the Secretary be instructed to prepare a new list of referrals of all bills that are before the Senate this morning and on Monday morning a copy of the new list be placed on each senator's desk and that rules be suspended and that on that day a majority vote may reassign a bill to another committee if a member so desires to make the motion.

Debate ensued.

The motion carried.

MOTION

On motion of Senator Greive and with the unanimous approval of the Senate, the measures referred to the various committees as indicated on the introduction and first reading sheet of Saturday, January 17, will be referred to the committees named therein.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 147, by Senator Day:

An Act relating to insurance provided by health care service contractors.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 148, by Senator Day:

An Act relating to health care contractors and imposing a tax.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 149, by Senator Day:

An Act relating to that portion of the insurance laws dealing with health care services; requiring freedom of choice among certain licensees.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 150, by Senator Ridder:

An Act relating to crimes and punishment; prohibiting the manufacture and distribution of nonreturnable beverage bottles in the state; and providing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 151, by Senators Ridder, Marquardt, Dore and McCormack:

An Act relating to crimes and punishment; prohibiting the littering on public waterways by certain watercraft upon the waters of the state; prohibiting the operation of certain watercraft not equipped with holding tanks; and providing penalties.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 152, by Senator Day:

An Act relating to reimbursement or indemnity of health care services.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 153, by Senators Twigg, Cooney, Keefe and Guess:

An Act relating to public recreation, sports and culture; levying taxes; amending section 11, chapter 236, Laws of 1967 and RCW 67.28.180; amending section 13, chapter 236, Laws of 1967 and RCW 67.28.200; amending section 14, chapter 236, Laws of 1967 and RCW 67.28.210; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 154, by Senators Greive, Woodall and Herr: (by Legislative Council request):

An Act relating to inferior courts; amending section 18, chapter 299, Laws of 1961 and RCW 3.24.090; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 155, by Senators Greive, Faulk and Herr:

An Act relating to education; amending section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 237, Laws of 1969 ex. sess. and RCW 28A.58.420; amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 237, Laws of 1969 ex. sess. and RCW 28B.10.660; making effective dates and providing for the expiration of a section hereof.

Referred to Committee on Education.

SENATE BILL NO. 156, by Senator Bailey (by departmental request):

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

Referred to Committee on State Government.

SENATE BILL NO. 157, by Senators Greive, Faulk and Herr (by Joint Committee on Governmental Cooperation request):

An Act relating to urban renewal and redevelopment; authorizing cities, towns and counties to provide for the self-liquidation of the costs of urban renewal and redevelopment projects; and providing an effective date.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 158, by Senators Greive, Faulk and Herr (by Joint Committee on Governmental Cooperation request):

An Act relating to urban renewal; establishing tax abatement and credit procedures for owners of property occupied by persons and families of low income; and declaring an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 159, by Senators Greive, Faulk and Herr (by Joint Committee on Governmental Cooperation request):

An Act relating to eminent domain; and establishing procedures, standards indemnification for the relocation of persons and families displaced by redevelopment projects.

Referred to Judiciary Committee.

SENATE BILL NO. 160, by Senators Dore, Gissberg, Francis, Donohue, Holman and Herr:

An Act relating to the age of legal majority; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section 11, page 364, Laws of 1854 as last amended by section 37, Code of 1881 and RCW 4.16.190; amending section 497, page 220, Laws of 1854 as last amended by section 11, Code of 1881 and RCW 4.24.030; amending section 6, chapter 127, Laws of 1893 and RCW 4.28.070; amending section 13, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.130; amending section 2, chapter 74, Laws of 1891 and RCW 8.04.030; amending section 2, page 295, Laws of 1890 and RCW 8.20.020; amending section 11.76.090, chapter 145, Laws of 1965 and RCW 11.76.090; amending section 11.76.095, chapter 145, Laws of 1965 and RCW 11.76.095; amending section 11.88.020, chapter 145, Laws of 1965 and RCW 11.88.020; amending section 11.92.010, chapter 145, Laws of 1965 and RCW 11.92.010; amending section 23, page 337, Laws of 1873 as last amended by section 1, chapter 19, Laws of 1903 and RCW 12.04.050; amending section 25, page 337, Laws of 1873 as last amended by section 3, chapter 19, Laws of 1903 and RCW 12.04.080; amending section 6, chapter 302, Laws of 1961 as amended by section 1, chapter 137, Laws of 1967 and RCW 13.04.095; amending section 1, chapter 93, Laws of 1967 and RCW 13.04.250; amending section 4, chapter 125, Laws of 1929 as amended by section 2, chapter 250, Laws of 1961 and RCW 17.04.070; amending section 4, chapter 205, Laws of 1959 and RCW 17.06.050; amending section 11, chapter 226, Laws of 1949 as amended by section 1, chapter 114, Laws of 1969 and RCW 18.04.120; amending section 5, chapter 323, Laws of 1959 and RCW 18.08.140; amending section 6, chapter 38, Laws of 1917 as last amended by section 2, chapter 149, Laws of 1955 and RCW 18.22.040; amending section 6, chapter 201, Laws of 1967 as amended by section 1, chapter 141, Laws of 1967 ex. sess. and RCW 18.28.060; amending section 7, chapter 43, Laws of 1957 and RCW 18.34.070; amending section 2, chapter 52, Laws of 1955 as amended by section 2, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.030; amending section 4, chapter 108, Laws of 1937 as last amended by section 3, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.040; amending section 3, chapter 180, Laws of 1923 as last amended by section 7, chapter 38, Laws of 1963 and RCW 18.64.080; amending section 3, chapter 305, Laws of 1955 as amended by section 3, chapter 70, Laws of 1965 and RCW 18.83.030; amending section 6, chapter 71, Laws of 1941 and RCW 18.92.070; amending section 233, chapter 249, Laws of 1909 and RCW 19.60.063; amending section 1, chapter 202, Laws of 1959 as amended by section 1, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.010; amending section 4, chapter 202, Laws of 1959 as amended by section 4, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.040; amending section 7, chapter 202, Laws of 1959 as amended by section 6, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.070; amending section 8, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.010; amending section 11, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.040; amending section 14, chapter 88, Laws of 1967

ex. sess. and RCW 21.25.070; amending section 54, chapter 53, Laws of 1965 and RCW 23A.12.010; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 1, chapter 230, Laws of 1963 and RCW 26.04.010; amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 4, chapter 230, Laws of 1963 and RCW 26.04.210; amending section 1, page 407, Laws of 1854 as last amended by section 2, chapter 72, Laws of 1923 and RCW 26.28.010; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 1, chapter 17, Laws of 1919 and RCW 26.28.080; amending section 11, chapter 291, Laws of 1955 and RCW 26.32.110; amending section 2, page 304, Laws of 1909 and RCW 28.58.150; amending section 1, page 261, Laws of 1909 and RCW 28.58.190; amending section 17, page 295, Laws of 1909 and RCW 28.62.220; amending section 4, page 337, Laws of 1909 and RCW 28.70.015; amending section 9, chapter 10, Laws of 1917 and RCW 28.76.050; amending section 1, chapter 163, Laws of 1921 and RCW 28.77.015; amending section 29.07.070, chapter 9, Laws of 1965 and RCW 29.07.070; amending section 29.07.080, chapter 9, Laws of 1965 and RCW 29.07.080; amending section 29.10.090, chapter 9, Laws of 1965 and RCW 29.10.090; amending section 35.24.370, chapter 7, Laws of 1965 and RCW 35.24.370; amending section 35.27.500, chapter 7, Laws of 1965 and RCW 35.27.500; amending section 36.59.310, chapter 4, Laws of 1963 and RCW 36.59.310; amending section 11, chapter 4, Laws of 1917 and RCW 37.16.080; amending section 19, chapter 130, Laws of 1943 and RCW 38.12.060; amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530; amending section 8, chapter 167, Laws of 1967 and RCW 46.20.011; amending section 6, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.045; amending section 46.20.104, chapter 12, Laws of 1961 as last amended by section 3, chapter 167, Laws of 1967 and RCW 46.20.104; amending section .17.15, chapter 79, Laws of 1947 as last amended by section 19, chapter 150, Laws of 1967 and RCW 48.17.150; amending section .17.38, chapter 79, Laws of 1947 and RCW 48.17.380; amending section .18.38, chapter 79, Laws of 1947 and RCW 48.18.380; amending section .32.07, chapter 79, Laws of 1947 as last amended by section 25, chapter 303, Laws of 1955 and RCW 48.36.070; amending section 51.08.030, chapter 23, Laws of 1961 as amended by section 1, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.030; amending section 51.32.005, chapter 23, Laws of 1961 as amended by section 2, chapter 77, Laws of 1969 ex. sess. and RCW 51.32.005; amending section 87, chapter 250, Laws of 1907 and RCW 65.12.710; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 111, Laws of 1959 and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as amended by section 6, chapter 111, Laws of 1959 and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as amended by section 9, chapter 111, Laws of 1959 and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 1, chapter 345, Laws of 1943 and RCW 66.44.310; amending section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315; amending section 71.02.230, chapter 25, Laws of 1959 as amended by section 3, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.230; amending section 4, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.411; amending section 71.06.010, chapter 25, Laws of 1959 as amended by section 1, chapter 65, Laws of 1961 and RCW 71.06.010; amending section 72.40.040, chapter 28, Laws of 1959 as amended by section 1, chapter 39, Laws of 1969 and RCW 72.40.040; amending section 72.40.060, chapter 28, Laws of 1959 as amended by section 97, chapter 176, Laws of 1969 ex. sess. and RCW 72.40.060; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 13, chapter 173, Laws of 1969 ex. sess. and RCW 74.12.010; amending section 3, chapter 30, Laws of 1965 and RCW 74.13.020; amending section 74.16.030, chapter 26, Laws of 1959 as last amended by section 1, chapter 78, Laws of 1967 and RCW 74.16.030; amending section 69, chapter 36, Laws of 1917 as amended by section 1, chapter 51, Laws of 1939 and RCW 78.40.293; amending section 186, chapter 255, Laws of 1927 as amended by section 39, chapter 257, Laws of 1959 and RCW 79.01.704; amending section 12, chapter 152, Laws of 1903 and RCW 79.48.130; amending section 83.56.050, chapter 15, Laws of 1961 as amended by section 1, chapter 67, Laws of 1965 ex. sess. and RCW 83.56.050; amending section

84.36.030, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1969 and RCW 84.36.030; amending section 11, chapter 117, Laws of 1895 and RCW 85.05.110; amending section 11, chapter 115, Laws of 1895 and RCW 85.06.110; amending section 122, chapter 72, Laws of 1937 as amended by section 9, chapter 26, Laws of 1965 and RCW 86.09.364; amending section 4, chapter 57, Laws of 1955 as amended by section 12, chapter 192, Laws of 1961 and RCW 87.03.045; amending section 15, chapter 106, Laws of 1921 and RCW 87.60.150; amending section 1, chapter 18, Laws of 1935 and RCW 88.16.010; amending sections 13 and 14, chapter 8, Laws of 1909 ex. sess. as amended by section 13, chapter 11, Laws of 1911 and RCW 91.04.250; and declaring an effective date.
Referred to Judiciary Committee.

SENATE BILL NO. 161, by Senators Day, Elicker and Dore:

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

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 162, by Senators Dore, Holman and Ridder:

An Act relating to the state toxicologist; and adding new sections to chapter 68.08 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 163, by Senators Dore and Connor:

An Act relating to revenue and taxation; providing for the allocation and distribution of a portion of retail sales tax revenues to cities and towns; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 164, by Senators Day, Lewis (Harry) and Henry:

An Act relating to contracts on public works; providing for investment of the retained percentage; amending section 1, chapter 166, Laws of 1921 as last amended by section 1, chapter 151, Laws of 1969 ex. sess. and RCW 60.28.010; amending section 2, chapter 166, Laws of 1921 as last amended by section 23, chapter 26, Laws of 1967 ex. sess. and RCW 60.28.020; and amending section 5, chapter 236, Laws of 1955 as amended by section 24, chapter 26, Laws of 1967 ex. sess. and RCW 60.28.050.

Referred to Committee on State Government.

SENATE BILL NO. 165, by Senators Talley and Henry:

An Act relating to port districts.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 166, by Senators Talley and Henry:

An Act relating to port districts.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 167, by Senators Day, Twigg and Gissberg:

An Act regulating and licensing the practice of massage.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 168, by Senators Ridder, Francis, Marquardt and Holman:

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

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 169, by Senators Stender, Bailey, Guess and Connor:

An Act relating to industrial insurance; and amending section 51.16.050, chapter 23, Laws of 1961 and RCW 51.16.050.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 170, by Senators Dore, Ridder and Francis:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 171, by Senator Day:

An Act relating to nonprofit corporations; and adding new sections.

Referred to Committee on Judiciary.

SENATE BILL NO. 172, by Senator Day:

An Act relating to public assistance.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 173, by Senators Lewis (Harry) and Odegaard:

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

Referred to Committee on State Government.

SENATE BILL NO. 174, by Senator Andersen:

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

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 175, by Senator Andersen:

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

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 176, by Senators Keefe, Connor, Atwood, Twigg, Henry, Knoblauch, Day, McCormack, Bailey, Mardesich, Elicker, Stender, Herr, Woodall and Talley:

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

Referred to Judiciary Committee.

SENATE BILL NO. 177, by Senators Williams, Knoblauch and Talley:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 178, by Senator Ridder:

An Act relating to safety standards for school-buses.

Referred to Committee on Highways.

SENATE BILL NO. 179, by Senators Odegaard, Lewis (Harry) and Atwood:

An Act relating to insurance and health care programs for state employees and officials; amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.180; amending section 5, chapter 59, Laws of 1969 and RCW 41.04.230; repealing section 5, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.200; repealing section 6, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.210; repealing section 8, chapter 237, Laws of 1969, 1st ex. sess.; adding new sections to Title 41 RCW as a new chapter thereof; adding a new section to chapter 1, Laws of 1961 and chapter 41.06 RCW; making an appropriation and declaring an emergency.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 180, by Senators Day and Greive:

An Act relating to participation in health care contracts and implementing certain requirements of Civil Rights Act of 1968.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 181, by Senator Day:

An Act relating to health care service contracts setting forth requirements and limitations.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 182, by Senator Day:

An Act relating to health care contracts imposing a time limit they may run before being rewritten.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 183, by Senator Day:

An Act relating to state government; and making an appropriation.

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 184, by Senators Dore and Francis:

An Act relating to state government; defining crimes and providing penalties; and making an appropriation.

Referred to Judiciary Committee.

SENATE BILL NO. 185, by Senators Dore and Connor:

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

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 186, by Senator Ridder:

An Act relating to the issuance of driver's licenses for elderly persons; and providing penalties.

Referred to Committee on Highways.

SENATE BILL NO. 187, by Senators Wilson, Canfield and Washington:

An Act relating to collective bargaining between employees and boards of irrigation districts; and creating a new chapter in Title 87 RCW.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 188, by Senators Talley and Sandison:

An Act relating to solid waste management; and providing procedures for the creation and operation of solid waste management districts.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 189, by Senators Day, Elicker, Mardesich and Peterson (Ted):

An Act relating to business and professions; amending section 6, chapter 323, Laws of

1959 and RCW 18.08.150; amending section 9, chapter 323, Laws of 1959 and RCW 18.08.180; amending section 10, chapter 323, Laws of 1959 and RCW 18.08.190; amending section 7, chapter 75, Laws of 1923 as last amended by section 9, chapter 223, Laws of 1967 and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065; amending section 8, chapter 172, Laws of 1901 as last amended by section 15, chapter 223, Laws of 1967 and RCW 18.15.100; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 7, chapter 180, Laws of 1951 as last amended by section 11, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.140; amending section 6, chapter 149, Laws of 1955 as amended by section 2, chapter 97, Laws of 1965 and RCW 18.22.120; amending section 5, chapter 5, Laws of 1919 as amended by section 3, chapter 53, Laws of 1959, and RCW 18.25.020; amending section 10, chapter 5, Laws of 1919 as amended by section 5, chapter 53, Laws of 1959 and RCW 18.25.070; amending section 7, chapter 77, Laws of 1963 as amended by section 2, chapter 126, Laws of 1967 and RCW 18.27.070; amending section 32, chapter 16, Laws of 1923 as amended by section 5, chapter 47, Laws of 1969 and RCW 18.29.070; amending section 1, chapter 83, Laws of 1953 and RCW 18.36.115; amending section 6, chapter 108, Laws of 1937 and RCW 18.39.050; amending section 10, chapter 108, Laws of 1937 and RCW 18.39.120; amending section 8, chapter 283, Laws of 1947 and RCW 18.43.050; amending section 11, chapter 283, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1965 and RCW 18.43.080; amending section 13, chapter 144, Laws of 1919 as amended by section 1, chapter 275, Laws of 1955 and RCW 18.53.050; amending section 9, chapter 144, Laws of 1919 and RCW 18.53.070; amending section 6, chapter 4, Laws of 1919 and RCW 18.57.050; amending section 35, chapter 202, Laws of 1955 and RCW 18.71.040; amending section 36, chapter 202, Laws of 1955 and RCW 18.71.080; amending section 7, chapter 239, Laws of 1949 as amended by section 6, chapter 64, Laws of 1961 and RCW 18.74.070; amending section 10, chapter 222, Laws of 1949 as last amended by section 4, chapter 79, Laws of 1967 and RCW 18.78.090; amending section 9, chapter 305, Laws of 1955 as amended by section 9, chapter 70, Laws of 1965 and RCW 18.83.090; amending section 19, chapter 202, Laws of 1949, as amended by section 11, chapter 288, Laws of 1961 and RCW 18.88.190; amending section 19, chapter 71, Laws of 1941 as last amended by section 9, chapter 50, Laws of 1967 ex. sess. and RCW 18.92.145; amending section 8, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.080; amending section 10, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.100; amending section 11, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.110; amending section 3, chapter 473, Laws of 1890 and RCW 42.28.030; 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 17, chapter 226, Laws of 1949 and RCW 18.04.180; amending section 19, chapter 226, Laws of 1949 as amended by section 3, chapter 114, Laws of 1969 and RCW 18.04.200; amending section 21, chapter 226, Laws of 1949 as amended by section 4, chapter 114, Laws of 1969 and RCW 18.04.220; and amending section 27, chapter 226, Laws of 1949, as amended by section 5, chapter 114, Laws of 1969 and RCW 18.04.280.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 190, by Senators Wilson, Donohue, Huntley and McDougall:
An Act relating to livestock and providing penalties.

Referred to Committee on Agriculture and Horticulture.

SENATE BILL NO. 191, by Senators Elicker and Herr:

An Act relating to counties; and amending section 36.32.020, chapter 4, Laws of 1963 and RCW 36.32.020.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 192, by Senators Holman, Dore and Ridder:

An Act relating to taxing districts; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 193, by Senators Peterson (Lowell) and Donohue:

An Act relating to insurance; and adding a new section to chapter 79, Laws of 1947 and to Title 48 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 194, by Senator Donohue:

An Act relating to the support of school districts.

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 195, by Senator Greive (by departmental request):

An Act relating to insurance; amending section .03.01, chapter 79, Laws of 1947 and RCW 48.03.010; amending section .05.21, chapter 79, Laws of 1947 and RCW 48.05.210; amending section 3, chapter 150, Laws of 1967 and RCW 48.05.215; amending section .10.28, chapter 79, Laws of 1947 and RCW 48.10.280; 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 .17.25, chapter 79, Laws of 1947 and RCW 48.17.250; 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; amending section .18.10, chapter 79, Laws of 1947 and RCW 48.18.100; amending section .18.26, chapter 79, Laws of 1947 and RCW 48.18.260; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; amending section .19.03, chapter 79, Laws of 1947 and RCW 48.19.030; amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; amending section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; amending section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; amending section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440; amending section .29.14, chapter 79, Laws of 1947 and RCW 48.29.140; amending section .30.02, chapter 79, Laws of 1947 and RCW 48.30.020; amending section .30.15, chapter 79, Laws of 1947 as amended by section 18, chapter 193, Laws of 1957 and RCW 48.30.150; 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; amending section 8, chapter 115, Laws of 1969 and RCW 48.44.045; providing penalties; and making an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 196, by Senator Francis:

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

Referred to Committee on Highways.

SENATE BILL NO. 197, by Senators Francis and McCormack:

An Act relating to state government; establishing a commission on population stabilization; adding a new chapter to Title 43 RCW; and declaring an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 198, by Senator Francis:

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

Referred to Committee on Education.

SENATE BILL NO. 199, by Senator Francis:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 200, by Senator Francis:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 201, by Senator Talley:

An Act relating to the retail sales tax; providing for an exemption to certain persons over sixty-five years of age or to certain persons who are totally disabled; and amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 202, by Senator Washington:

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

Referred to Committee on Highways.

SENATE BILL NO. 203, by Senators Talley and Canfield:

An Act relating to municipal corporations and other public agencies.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 204, by Senators Keefe, Twigg and Guess:

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

Referred to Judiciary Committee.

SENATE BILL NO. 205, by Senator Walgren:

An Act relating to state civil service; amending section 7, chapter 1, Laws of 1961, as last amended by section 23, chapter 36, Laws of 1969 1st ex. sess. and RCW 41.06.070.

Referred to Committee on State Government.

SENATE BILL NO. 206, by Senators Sandison, Ryder and Wilson:

An Act relating to community colleges; amending section 7, chapter — (HB 41), Laws of 1970 ex. sess. and RCW 28.85.350; amending section 19, chapter — (HB 41), Laws of 1970 ex. sess. and RCW 28B.50.350; declaring an emergency; and providing for the expiration of a section hereof.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 207, by Senator Talley:

An Act relating to sewer districts.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 208, by Senator Talley:

An Act relating to municipal corporations and other public agencies.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 209, by Senator Talley:

An Act relating to cities.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 210, by Senators Henry and Woodall:

An Act relating to outdoor advertising.

Referred to Committee on Highways.

SENATE BILL NO. 211, by Senator McCormack:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 212, by Senators Talley and Bailey:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 213, by Senators Durkan, Foley and Woodall:

An Act relating to education; establishing a professional practice commission; establishing its duties; providing for the adoption, administration and enforcement of standards of professional practice; providing for the participation of representatives of certificated employees in developing and enforcing standards of certification; amending section 5, chapter 97, page 337, Laws of 1909 as last amended by section 73, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.140; amending section 3, chapter 97, page 346, Laws of 1909 and RCW 28.70.170; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.005; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as amended by section 145, chapter 176, Laws of 1969 ex. sess. and RCW 28A.70.140; amending section 28A.70.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.170; making effective dates and providing for the expiration of certain sections hereof.

Referred to Committee on Education.

SENATE BILL NO. 214, by Senators Washington, McDougall, Donohue, Sandison and Bailey:

An Act relating to state government; establishing the noncongested area industrial dispersion authority; and describing its powers, duties, functions and responsibilities.

Referred to Committee on Highways.

SENATE BILL NO. 215, by Senators Francis, Marquardt, Keefe and Ridder (by Joint Committee on Education request):

An Act relating to education; and making an appropriation.

Referred to Committee on Education.

SENATE BILL NO. 216, by Senator Durkan:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 217, by Senators Durkan, Connor and Stender:

An Act relating to labor relations in health care activities.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 218, by Senator Washington:

An Act relating to state government and creating a state department of transportation.

Referred to Committee on Highways.

SENATE BILL NO. 219, by Senators Mardesich and Walgren:

An Act relating to alcoholic beverage control.

Referred to Committee on Liquor Control.

SENATE BILL NO. 220, by Senators Mardesich and Walgren:

An Act relating to alcoholic beverage control.

Referred to Committee on Liquor Control.

SENATE BILL NO. 221, by Senator Marquardt:

An Act relating to revenue and taxation; and imposing a tax on the showing of motion pictures according to rating.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 222, by Senator Peterson (Ted):

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 223, by Senator Peterson (Lowell) (by departmental request):

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

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 224, by Senator Peterson (Lowell) (by departmental request):

An Act relating to forest protection; amending section 8, chapter 125, Laws of 1911 as last amended by section 1, chapter 82, Laws of 1965, and RCW 76.04.150; and amending section 1, chapter 223, Laws of 1927 as last amended by section 1, chapter 142, Laws of 1955, and RCW 76.04.170.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 225, by Senator Bailey:

An Act relating to state jurisdiction over Indians and Indian territories, country or lands; providing for retrocession of state jurisdiction.

Referred to Judiciary Committee.

SENATE BILL NO. 226, by Senators Washington, Bailey, Huntley and Guess:

An Act relating to state highways; amending section 10, chapter 281, Laws of 1969 ex. sess.; amending section 47.20.570, chapter 13, Laws of 1961 and RCW 47.20.570; amending section 47.20.580, chapter 13, Laws of 1961 and RCW 47.20.580; amending section 47.22.010, chapter 13, Laws of 1961 and RCW 47.22.010; amending section 47.22.020, chapter 13, Laws of 1961 as amended by section 13, chapter 145, Laws of 1967 ex. sess. and RCW 47.22.020; adding a new chapter to Title 47 RCW; repealing section 47.16.010, chapter 13, Laws of 1961 as last amended by section 5, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.010; repealing section 4, chapter 145, Laws of 1967 ex. sess. and RCW 47.16.013; repealing section 13, chapter 281, Laws of 1969 and RCW 47.16.014; repealing section 47.16.020, chapter 13, Laws of 1961 as amended by section 5, chapter 281, Laws of 1969 and RCW 47.16.020; repealing section 47.16.030, chapter 13, Laws of 1961 as amended by section 7, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.030; repealing section 47.16.040, chapter 13, Laws of 1961 and RCW 47.16.040; repealing section 47.16.050, chapter 13, Laws of 1961 as last amended by section 7, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.050; repealing section 9, chapter 145, Laws of 1967 ex. sess. and RCW 47.16.053; repealing section 47.16.060, chapter 13, Laws of 1961 as amended by section 1, chapter 240, Laws of 1963; repealing section 47.16.070, chapter 13, Laws of 1961 and RCW 47.16.070; repealing section 47.16.080, chapter 13, Laws of 1961 as amended by section 8, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.080; repealing section 47.16.090, chapter 13, Laws of 1961 and RCW 47.16.090; repealing section 47.16.100, chapter 13, Laws of 1961 as amended by section 1, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.100; repealing section 47.16.110, chapter 13, Laws of 1961 and RCW 47.16.110; repealing section 47.16.120, chapter 13, Laws of 1961 as last amended by section 9, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.120; repealing section 47.16.130, chapter 13, Laws of 1961 and RCW 47.16.130; repealing section 47.16.140, chapter 13, Laws of 1961 as amended by section 3, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.140; repealing section 47.16.150, chapter 13, Laws of 1961 and RCW 47.16.150; repealing section 47.16.160, chapter 13, Laws of 1961 as amended by section 3, chapter 21, Laws of 1961 ex. sess. and RCW 47.16.160; repealing section 47.16.180, chapter 13, Laws of 1961 and RCW 47.16.180; repealing section 47.16.190, chapter 13, Laws of 1961 as amended by section 12, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.190; repealing section 47.16.200, chapter 13, Laws of 1961 as amended by section 4, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.200; repealing section 47.20.010, chapter 13, Laws of 1961 as last amended by section 1, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.010; repealing section 47.20.020, chapter 13, Laws of 1961 as amended by section 4, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.020; repealing section 47.20.030, chapter 13, Laws of 1961 as last amended by section 2, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.030; repealing section 47.20.040, chapter 13, Laws of 1961 and RCW 47.20.040; repealing section 47.20.050, chapter 13, Laws of 1961 as amended by section 3, chapter 145, Laws of 1967 and RCW 47.20.050; repealing section 47.20.060,

chapter 13, Laws of 1961 and RCW 47.20.060; repealing section 47.20.070, chapter 13, Laws of 1961 and RCW 47.20.070; repealing section 47.20.080, chapter 13, Laws of 1961 as amended by section 6, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.080; repealing section 47.20.090, chapter 13, Laws of 1961 as amended by section 8, chapter 21, Laws of 1961 and RCW 47.20.090; repealing section 47.20.100, chapter 13, Laws of 1961 as amended by section 20, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.100; repealing section 47.20.109, chapter 13, Laws of 1961 and RCW 47.20.109; repealing section 47.20.110, chapter 13, Laws of 1961 and RCW 47.20.110; repealing section 47.20.120, chapter 13, Laws of 1961 as amended by section 7, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.120; repealing section 47.20.130, chapter 13, Laws of 1961 as amended by section 8, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.130; repealing section 47.20.140, chapter 13, Laws of 1961 as amended by section 12, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.140; repealing section 47.20.150, chapter 13, Laws of 1961 and RCW 47.20.150; repealing section 47.20.160, chapter 13, Laws of 1961 as last amended by section 5, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.160; repealing section 47.20.161, chapter 13, Laws of 1961 and RCW 47.20.161; repealing section 6, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.162; repealing section 47.20.165, chapter 13, Laws of 1961 and RCW 47.20.165; repealing section 47.20.170, chapter 13, Laws of 1961 and RCW 47.20.170; repealing section 47.20.180, chapter 13, Laws of 1961 as last amended by section 28, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.180; repealing section 47.20.190, chapter 13, Laws of 1961 and RCW 47.20.190; repealing section 47.20.200, chapter 13, Laws of 1961 as amended by section 8, chapter 281, Laws of 1969 ex. sess. and RCW 47.20.200; repealing section 47.20.210, chapter 13, Laws of 1961 as amended by section 10, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.210; repealing section 47.20.220, chapter 13, Laws of 1961 as last amended by section 11, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.220; repealing section 17, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.221; repealing section 18, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.222; repealing section 19, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.223; repealing section 47.20.230, chapter 13, Laws of 1961 and RCW 47.20.230; repealing section 47.20.240, chapter 13, Laws of 1961 as last amended by section 9, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.240; repealing section 47.20.250, chapter 13, Laws of 1961 as last amended by section 12, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.250; repealing section 47.20.260, chapter 13, Laws of 1961 and RCW 47.20.260; repealing section 47.20.270, chapter 13, Laws of 1961 and RCW 47.20.270; repealing section 47.20.280, chapter 13, Laws of 1961 as amended by section 15, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.280; repealing section 47.20.290, chapter 13, Laws of 1961 and RCW 47.20.290; repealing section 47.20.300, chapter 13, Laws of 1961 as amended by section 17, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.300; repealing section 47.20.310, chapter 13, Laws of 1961 and RCW 47.20.310; repealing section 47.20.320, chapter 13, Laws of 1961 as amended by section 2, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.320; repealing section 47.20.325, chapter 13, Laws of 1961 and RCW 47.20.325; repealing section 47.20.330, chapter 13, Laws of 1961 as amended by section 10, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.330; repealing section 47.20.340, chapter 13, Laws of 1961 as last amended by section 13, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.340; repealing section 41, chapter 21, Laws of 1961 ex. sess. as amended by section 3, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.351; repealing section 47.20.360, chapter 13, Laws of 1961 as amended by section 16, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.360; repealing section 47.20.379, chapter 13, Laws of 1961 and RCW 47.20.379; repealing section 47.20.380, chapter 13, Laws of 1961 as amended by section 30, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.380; repealing section 47.20.390, chapter 13, Laws of 1961 as amended by section 9, chapter 281, Laws of 1969 ex. sess. and RCW 47.20.390; repealing section 47.20.400, chapter 13, Laws of 1961 and RCW 47.20.400; repealing section 47.20.410, chapter 13, Laws of 1961 as amended by section 7, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.410; repealing section 47.20.420, chapter 13, Laws of 1961 and RCW 47.20.420; repealing section 47.20.430, chapter 13, Laws of 1961 as amended by section 15, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.430; repealing section 10, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.431; repealing section 47.20.440, chapter 13, Laws of 1961 as last amended by

section 4, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.440; repealing section 47.20.450, chapter 13, Laws of 1961 and RCW 47.20.450; repealing section 47.20.460, chapter 13, Laws of 1961 and RCW 47.20.460; repealing section 47.20.461, chapter 13, Laws of 1961 and RCW 47.20.461; repealing section 47.20.462, chapter 13, Laws of 1961 and RCW 47.20.462; repealing section 47.20.470, chapter 13, Laws of 1961 and RCW 47.20.470; repealing section 47.20.480, chapter 13, Laws of 1961 and RCW 47.20.480; repealing section 47.20.490, chapter 13, Laws of 1961 as amended by section 15, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.490; repealing section 47.20.500, chapter 13, Laws of 1961 as amended by section 16, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.500; repealing section 11, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.505; repealing section 47.20.540, chapter 13, Laws of 1961 as amended by section 12, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.540; repealing section 47.20.541, chapter 13, Laws of 1961 and RCW 47.20.541; repealing section 47.20.550, chapter 13, Laws of 1961 and section 47.20.541, chapter 13, Laws of 1961 and RCW 47.20.541; repealing section 47.20.550, chapter 13, Laws of 1961 and RCW 47.20.550.

Referred to Committee on Highways.

SENATE BILL NO. 227, by Senators Bailey and Washington:

An Act relating to motor vehicles.

Referred to Committee on Highways.

SENATE BILL NO. 228, by Senator Henry:

An Act relating to the state toxicological laboratory; amending section 13, chapter 188, Laws of 1953 and RCW 68.08.107.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 229, by Senator Francis:

An Act relating to marine and fresh water shorelands; providing for the inventory thereof; and adding a new chapter to Title 43 RCW.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 230, by Senators Dore, Connor and Pritchard:

An Act relating to retarded children and their schooling.

Referred to Committee on Public Institutions.

SENATE BILL NO. 231, by Senators Bailey and Ryder:

An Act relating to political parties.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 232, by Senator Marquardt:

An Act relating to the purchase of services by the department of public assistance.

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 233, by Senator Keefe:

An Act relating to public service companies; and amending section 2, chapter 134, Laws of 1965 ex. sess. and RCW 81.80.272.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 234, by Senators Cooney, Peterson (Ted) and Marquardt:

An Act relating to revenue and tax; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 235, by Senator Sandison:

An Act relating to firearms.

Referred to Judiciary Committee.

SENATE BILL NO. 236, by Senators Greive, Day and Twigg:

An Act relating to business and professions; providing for examinations to practice osteopathy and surgery, medicine and surgery, chiropractic and chiropody; adding a new section to chapter 4, Laws of 1919 and to chapter 18.57 RCW; adding a new section to chapter 192, Laws of 1909 and to chapter 18.71 RCW; adding a new section to chapter 5, Laws of 1919 and to chapter 18.25 RCW; adding a new section to chapter 28, Laws of 1917 and to chapter 18.22 RCW; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.75 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 237, by Senator Durkan:

An Act relating to real estate brokers and salesmen.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 238, by Senators Stortini and Faulk:

An Act relating to property taxes.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 239, by Senator Ridder:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 240, by Senator Ridder:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 241, by Senator Ridder:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 242, by Senator Ridder:

An Act relating to public welfare; providing funds for local government; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 243, by Senators Elicker, Wilson and Faulk (by departmental request):

An Act relating to vital statistics, increasing the fee for certified copies of records; and amending section 43.20.090, chapter 8, Laws of 1965 as amended by section 3, chapter 26, Laws of 1967 and RCW 43.20.090.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 244, by Senators Sandison and Lewis (Harry):

An Act relating to higher education.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 245, by Senators Sandison and Lewis (Harry):

An Act relating to higher education.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 246, by Senators Sandison, Lewis (Harry) and Wilson:

An Act relating to higher education.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 247, by Senators Sandison, Lewis (Harry) and Wilson:

An Act relating to higher education.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 248, by Senators Sandison, Lewis (Harry) and Wilson:

An Act relating to higher education.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 249, by Senators Elicker, Sandison, Walgren, Stender and Peterson (Lowell):

An Act relating to toll facilities and the financing thereof; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 75, chapter 145, Laws of 1967 ex. sess. and RCW 82.36.020; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 79, chapter 145, Laws of 1967 ex. sess. and RCW 46.68.100; amending section 19, chapter 7, Laws of 1961 ex. sess. and RCW 47.60.360; amending section 47.60.170, chapter 13, Laws of 1961 and RCW 47.60.170; making an appropriation; declaring an emergency and providing an effective date.

Referred to Committee on Highways.

SENATE BILL NO. 250, by Senators Connor and Cooney:

An Act relating to the regulation of the practice of naturopathy.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 251, by Senators Durkan and Andersen:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 252, by Senators Connor and Dore:

An Act relating to the operation of motor vehicles; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Highways.

SENATE BILL NO. 253, by Senator Metcalf:

An Act relating to the current state school fund.

Referred to Committee on Education.

SENATE BILL NO. 254, by Senator Metcalf:

An Act relating to explosives.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 255, by Senators Ryder and Atwood:

An Act relating to the purchase and sale of securities by the state; establishing a state investment council; creating a new department of investment; transferring certain powers, functions and duties of enumerated state agencies; prescribing additional duties for certain state officers; and repealing all acts and parts of acts inconsistent herewith.

Referred to Committee on State Government.

SENATE BILL NO. 256, by Senator Mardesich:

An Act relating to commerce; regulating and providing for the disposal of junk vehicles.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 257, by Senators Lewis (Harry), Atwood, Guess and Greive:

An Act relating to obscene and erotic material; amending section 1, chapter 105, Laws of 1959 and RCW 7.42.010; amending section 2, chapter 105, Laws of 1959 and RCW 7.42.020; amending section 4, chapter 105, Laws of 1959 and RCW 7.42.040; amending section 6, chapter 105, Laws of 1959 and RCW 7.42.060; amending section 20, chapter

256, Laws of 1969 and RCW 9.68.120; adding a new section to chapter 105, Laws of 1959 and to chapter 7.42 RCW; and repealing section 3, chapter 105, Laws of 1959 and RCW 7.42.030.

Referred to Judiciary Committee.

SENATE BILL NO. 258, by Senators Lewis (Harry) and Atwood:

An Act relating to dangerous drugs; amending section 1, chapter 6, Laws of 1939 as last amended by section 9, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.060; and adding new sections to chapter 69.40 RCW. Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 259, by Senators Lewis (Harry) and Atwood:

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

Referred to Judiciary Committee.

SENATE BILL NO. 260, by Senators McCormack, Guess and Durkan:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 261, by Senators Woodall, Matson and Canfield:

An Act relating to public assistance; amending section 74.08.025, chapter 26, Laws of 1959 as amended by section 1, chapter 31, Laws of 1967 ex. sess. and RCW 74.08.025; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 262, by Senators Atwood and Lewis (Harry):

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

Referred to Judiciary Committee.

SENATE BILL NO. 263, by Senators Stender, Atwood, Marquardt, Day, Elicker, Lewis (Harry), Bailey, Woodall, Peterson (Ted), Odegaard and Holman:

An Act relating to revenue and taxation; 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 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; repealing section 82.02.020, chapter 15, Laws of 1961 as amended by section 16, chapter 236, Laws of 1967 and RCW 82.02.020; repealing section 29, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.120; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 264, by Senator Talley:

An Act to provide for the assessment of open space, agricultural and timber lands on the basis of their current use.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 265, by Senators Guess and Twigg:

An Act relating to licensing and safety.

Referred to Committee on Highways.

SENATE BILL NO. 266, by Senator Holman:

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

section 34, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.340; and adding new sections to chapter 264, Laws of 1969 ex. sess. and to chapter 7.33 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 267, by Senators Guess and Cooney:

An Act relating to motor vehicle wreckers; amending section 46.80.010, chapter 12, Laws of 1961 and RCW 46.80.010; and amending section 46.80.080, chapter 12, Laws of 1961 as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080.

Referred to Committee on Highways.

SENATE BILL NO. 268, by Senators Durkan and Canfield:

An Act relating to the merger of fire protection districts; and adding a new section to chapter 254, Laws of 1947 and to chapter 52.24 RCW.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 269, by Senator Durkan:

An Act relating to elections, including primaries and special elections; amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050; 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 29.18.150, chapter 9, Laws of 1965 and RCW 29.18.150; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060; amending section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070; amending section 29.24.110, chapter 9, Laws of 1965 and RCW 29.24.110; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050; and adding new sections to chapter 9, Laws of 1965 and to chapter 29.18 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 270, by Senator Durkan:

An Act relating to the business and occupation tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 271, by Senator Dore:

An Act relating to local government.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 272, by Senators Odegaard and Greive:

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

Referred to Committee on State Government.

SENATE BILL NO. 273, by Senator Francis:

An Act relating to health and safety; defining fireworks; prohibiting the sale of fireworks; regulating the use of fireworks; defining crimes; providing penalties; repealing sections 1 through 89, chapter 228, Laws of 1961 and RCW 70.77.120 through 70.77.560; repealing sections 90 and 91, chapter 228, Laws of 1961 and RCW 70.77.900 and 70.77.910; adding new sections to chapter 70.77 RCW; and declaring an emergency.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 274, by Senator Ryder:

An Act relating to county tuberculosis hospitals; providing for the care of nontuberculous patients in such facilities; and adding a new section to chapter 172, Laws of 1913 and to chapter 70.30 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 275, by Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender:

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

Referred to Judiciary Committee.

SENATE BILL NO. 276, by Senator Mardesich:

An Act relating to public utility districts and legal counsel therefor; amending section 43.10.030, chapter 8, Laws of 1965 and RCW 43.10.030; amending section 12, chapter 390, Laws of 1955 and RCW 54.16.110; adding a new section to chapter 2.44 RCW; and making an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 277, by Senators Walgren and Twigg:

An Act relating to mobile homes, commercial coaches and/or recreational vehicles; amending section 1, chapter 157, Laws of 1967 as amended by section 1, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.340; amending section 2, chapter 157, Laws of 1967 and RCW 43.22.350; amending section 3, chapter 157, Laws of 1967 and RCW 43.22.360; amending section 4, chapter 157, Laws of 1967 as amended by section 2, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.370; amending section 5, chapter 157, Laws of 1967 and RCW 43.22.380; amending section 6, chapter 157, Laws of 1967 and RCW 43.22.390; amending section 7, chapter 157, Laws of 1967 and RCW 43.22.400; amending section 8, chapter 157, Laws of 1967 and RCW 43.22.410; and amending section 3, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.420.

Referred to Committee on Highways.

SENATE BILL NO. 278, by Senators Henry, Day and Mardesich:

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

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 279, by Senators Ridder and Stortini:

An Act relating to education; amending section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200; making effective dates and providing for the expiration of a section hereof.

Referred to Committee on Education.

SENATE BILL NO. 280, by Senator Bailey:

An Act relating to certain public lands and providing for the sale thereof.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 281, by Senators Andersen, Guess and Durkan:

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

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 282, by Senators Francis, Ridder and Elicker:

An Act relating to the location of thermal power plants; providing for the regulation of

siting and transmission line routing; establishing a thermal power plant site commission; adding a new chapter to Title 80 RCW; and prescribing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 283, by Senator Dore:

An Act relating to county clerk's fees.

Referred to Judiciary Committee.

SENATE BILL NO. 284, by Senators Keefe, Twigg and Day:

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

Referred to Judiciary Committee.

SENATE BILL NO. 285, by Senators Twigg, Day and Guess:

An Act relating to the fiscal supports of townships.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 286, by Senator Walgren:

An Act relating to recognizance and bail.

Referred to Judiciary Committee.

SENATE BILL NO. 287, by Senators Guess, Day and Donohue:

An Act relating to education, providing for a restoration of the wording of the former acts in certain sections for the purpose of maintaining state-wide standards and definitions of education; for protecting students from experimental programs when parents object and from publications of immoral or pernicious tendency and from subjection to unrestricted actions of local school officials; to restore provisions of the old law relating to private elementary schools and requirements for training of superintendents.

Referred to Committee on Education.

SENATE BILL NO. 288, by Senators Sandison and McCormack:

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

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 289, by Senators McCormack and Walgren:

An Act relating to data processing.

Referred to Committee on State Government.

SENATE BILL NO. 290, by Senator Bailey:

An Act relating to state jurisdiction over Indians and Indian territories, country or lands; providing for retrocession of state jurisdiction.

Referred to Judiciary Committee.

SENATE BILL NO. 291, by Senator Francis:

An Act relating to health and safety; defining rules and regulations for flame-retardant chemicals and materials; authorizing the state fire marshal to enforce the act; and adding a new chapter to Title 70 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 292, by Senator Henry:

An Act relating to the state toxicologist.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 293, by Senator Lewis (Brian):

An Act relating to annexation to community councils within cities.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 294, by Senator Durkan:

An Act relating to cities operating under the Optional Municipal Code.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 295, by Senator Stortini:

An Act relating to freeways.

Referred to Committee on Highways.

SENATE BILL NO. 296, by Senators Bailey and Washington:

An Act relating to the department of motor vehicles.

Referred to Committee on Highways.

SENATE BILL NO. 297, by Senators Odegaard, Elicker and Marquardt:

An Act relating to the facilities, equipment and personnel of the institutions under the supervision of the department of institutions; amending section 1, chapter 46, Laws of 1967 and RCW 72.01.450; adding new sections to chapter 72.01 RCW; and declaring an emergency.

Referred to Committee on Public Institutions.

SENATE BILL NO. 298, by Senator Wilson:

An Act relating to counties; increasing salaries of prosecutors from counties of the fifth class; and amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 299, by Senators Greive, Odegaard and Elicker:

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

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 300, by Senators Greive, McCutcheon and Elicker:

An Act relating to the compensation of port district commissioners; adding new sections to chapter 53.12 RCW; and repealing section 4, chapter 348, Laws of 1955 as amended by section 1, chapter 72, Laws of 1957 and RCW 53.12.250.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 301, by Senators Bailey and Washington:

An Act relating to highways.

Referred to Committee on Highways.

SENATE BILL NO. 302, by Senators Bailey and Washington:

An Act relating to highway studies.

Referred to Committee on Highways.

SENATE BILL NO. 303, by Senators Bailey and Washington:

An Act relating to litter on public places or roads.

Referred to Committee on Highways.

SENATE BILL NO. 304, by Senators Bailey and Washington:
An Act relating to driver education.
Referred to Committee on Highways.

SENATE BILL NO. 305, by Senator Bailey:
An Act relating to urban passenger transportation systems.
Referred to Committee on Highways.

SENATE BILL NO. 306, by Senator Metcalf:
An Act relating to public officials; and prescribing procedures.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 307, by Senator Metcalf:
An Act relating to revenue and taxation; defining open land; and regulating the taxes to be imposed on open land.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 308, by Senator Metcalf:
An Act relating to preservation of the educational process at public institutions of higher learning; and providing for the expulsion of students.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 309, by Senator Metcalf:
An Act relating to education.
Referred to Committee on Education.

SENATE BILL NO. 310, by Senator Talley:
An Act relating to human remains.
Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE BILL NO. 311, by Senators Ryder and Durkan (by State Finance Committee request):
An Act relating to state government and the support thereof; amending section 2, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.020; amending section 3, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.030; and providing for submission of this act to a vote of the people.
Referred to Committee on State Government.

SENATE BILL NO. 312, by Senators Bailey, Greive and Talley:
An Act relating to state government; amending section 1, chapter 48, Laws of 1949 as last amended by section 1, chapter 100, Laws of 1967 ex. sess. and RCW 43.03.010; and declaring an emergency.
Referred to Committee on State Government.

SENATE BILL NO. 313, by Senator Durkan:
An Act relating to education.
Referred to Committee on Education.

SENATE BILL NO. 314, by Senator Durkan:
An Act relating to revenue and taxation in support of the common schools.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 315, by Senators Ryder and Durkan (by State Finance Committee request):
An Act relating to public debt; permitting interest coupons as an instrument of payment; amending section 1, chapter 86, Laws of 1969 and RCW 39.62.010.
Referred to Committee on State Government.

SENATE BILL NO. 316, by Senators Williams, Ridder, Huntley and Elicker (by Public Pension Commission request):

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

Referred to Committee on Labor and Social Security.

SENATE BILL NO. 317, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to state government and the support thereof; amending section 1, chapter 148, Laws of 1967 ex. sess., and RCW 43.83.090; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government.

SENATE BILL NO. 318, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to state government and the support thereof, amending section 1, chapter 106, Laws of 1967 and RCW 90.50.010; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government.

SENATE BILL NO. 319, by Senators McCormack, Sandison and Lewis (Harry):

An Act relating to community colleges.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 320, by Senators Sandison, McCormack and Lewis (Harry):

An Act relating to community colleges.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 321, by Senators Sandison, McCormack and Lewis (Harry):

An Act relating to community colleges.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 322, by Senators Sandison and McCormack:

An Act relating to community colleges.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 323, by Senators Greive and Woodall (by Joint Committee on Governmental Cooperation request):

An Act relating to the deposit and investment of public funds.

Referred to Committee on State Government.

SENATE BILL NO. 324, by Senators Sandison, Lewis (Harry), Atwood, Guess and Washington:

An Act relating to retirement plans for state college employees; amending section 28B.10.450, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.450; amending section 28B.10.455, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.455; amending section 28B.10.460, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.460; amending section 28B.10.465, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 150, Laws of 1969 ex. sess. and RCW 28B.10.465; and prescribing an effective date.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 325, by Senators Williams, Ridder and Elicker (by Public Pension Commission request):

An Act relating to the state teachers' retirement system; amending section 48, chapter 80, Laws of 1947 as last amended by section 14, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.480; adding a new section to chapter 41.32 RCW; making an appropriation; and making an effective date.

Referred to Committee on Education.

SENATE BILL NO. 326, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to the common schools and the support thereof; amending section 1, chapter 13, Laws of 1969 and RCW 28.47.792; amending section 4, chapter 13, Laws of 1969 and RCW 28.47.795; amending section 5, chapter 13, Laws of 1969 and RCW 28.47.796; amending section 1, chapter 56, Laws of 1967 ex. sess., as amended by section 1, chapter 77, Laws of 1969 and RCW 28.47.784; amending section 1, chapter 13, Laws of 1969 and RCW 28.47.792; amending section 4, chapter 13, Laws of 1969 and RCW 28.47.795; amending section 5, chapter 13, Laws of 1969 and RCW 28.47.796; and amending section 28A.47.784, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 77, Laws of 1969 and RCW 28A.47.784; and providing for the expiration of sections hereof.

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 327, by Senators Day, Woodall, Francis, Stortini, Stender, Peterson (Ted) and Odegaard:

An Act relating to hospitals.

Referred to Committee on Medicine, Dentistry, Public Health Air and Water Pollution.

SENATE BILL NO. 328, by Senators Pritchard and Holman:

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

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT MEMORIAL NO. 2, by Senators Day, Marquardt, Durkan, Bailey and McCormack:

Requesting Congress to set the prime interest rate at not more than seven percent.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE JOINT MEMORIAL NO. 3, by Senators Peterson (Ted), Marquardt, Francis and Greive:

Requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park.

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

SENATE JOINT MEMORIAL NO. 4, by Senators Peterson (Lowell), Peterson (Ted), Talley, Metcalf and Stortini:

Requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE JOINT MEMORIAL NO. 5, by Senator Metcalf:

Amending the U. S. Constitution to limit the terms of senators and representatives.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT MEMORIAL NO. 6, by Senator Metcalf:

Memorializing Congress to amend U. S. Constitution to retire U. S. Supreme court justices at age seventy.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT MEMORIAL NO. 7, by Senator Metcalf:

Requesting constitutional amendments to improve the administration of justice.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT MEMORIAL NO. 8, by Senators Henry, Odegaard and Durkan:
Urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE JOINT RESOLUTION NO. 11, by Senators Dore, Connor, Peterson (Lowell) and McCormack:

Providing for annual sessions of unlimited duration.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 12, by Senator Ridder:

Changing the Constitution to allow gambling.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 13, by Senator Dore:

Proposing amendment to article II, section 16 of state Constitution.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 14, by Senators McCormack and Donohue:

Amending Constitution to allow valuation of all real property on basis of use or productivity.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 15, by Senator Metcalf:

Providing for the administrative and supervisory power of supreme court.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 16, by Senator Metcalf:

Amending the Constitution to limit the years a legislator may serve in the legislature.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 17, by Senators McCormack, Day and Atwood:

Amending Constitution to authorize gambling under certain conditions.

Referred to Judiciary Committee.

SENATE CONCURRENT RESOLUTION NO. 3, by Senators Marquardt, Lewis (Harry), Bailey and Faulk:

Providing for legislative budget committee study of state agency reports.

Referred to Committee on Ways and Means—Appropriations.

SENATE CONCURRENT RESOLUTION NO. 4, by Senator Metcalf:

Providing for education of all children.

Referred to Committee on Education.

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

Commending development of Spokane Centennial celebration.

Referred to Committee on State Government.

MOTION

On motion of Senator Andersen, Senator Twigg was excused.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

January 17, 1970.

Mr. President: The House has passed HOUSE BILL NO. 190, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 190, by Representatives Copeland and Charette:
Appropriating funds for legislative expense.

On motion of Senator Greive, the rules were suspended, House Bill No. 190 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Bill No. 190 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 190, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 1; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson, Woodall—41.

Absent or not voting: Senator McCutcheon—1.

Excused: Senators Dore, Henry, Huntley, Newschwander, Pritchard, Twigg, Williams—7.

HOUSE BILL NO. 190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 88, by Senators Washington, Henry, Odegaard, Wilson, Durkan, Huntley, Bailey, McCormack, Gissberg, Donohue, McDougall, Woodall, Twigg, Guess, Peterson (Lowell), Sandison and Canfield:

Providing for certain high school and nonhigh districts to be declared remote and necessary for state aid purposes.

REPORTS OF STANDING COMMITTEE

January 15, 1970.

SENATE BILL NO. 88, providing for certain high school and nonhigh districts to be declared remote and necessary for state aid purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

Beginning on line 4, strike all the matter down to the including "immediately." on line 22, and insert:

"NEW SECTION. Section 1. That portion of the proviso contained in chapter 282, Laws of 1969, ex. sess. (pages 2718, 2719, Pamphlet Edition, Statute Law Committee, Volume 8) dealing with the reimbursement factor for school districts of certain descriptions reading as follows:

For school districts judged remote and necessary by the state board of education and enrolling fewer than 250 students in grades 9-12 and for nonhigh districts judged remote and necessary by the state board of education and for schools by the state board of education within a district and which enroll fewer than 100 students:" is hereby suspended.

NEW SECTION. Sec. 2. During the current fiscal period ending June 30, 1971 the reimbursement factor applicable to school districts enrolling fewer than 250 students in grades 9-12 and for nonhigh districts which are judged remote and necessary by the state board of education and which enroll fewer than 100 students shall be in accordance with the weighting factor submitted by the superintendent of public instruction to the 40th legislature.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Day, Donohue, Gissberg, Greive, Guess, Huntley, McCormack, Metcalf, Odegaard, Ryder, Sandison, Twigg, Washington, Wilson, Woodall.

MINORITY recommendation: Do not pass.

Signed by: Senators Marquardt, Peterson (Ted), Ridder, Stortini.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendment was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 88 was advanced to third reading.

MOTIONS

On motion of Senator McCormack, the Secretary of the Senate was requested to send flowers to the daughter of Senator Henry who is hospitalized.

At 11:50 a.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, January 19, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, January 19, 1970.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen, Durkan, Foley, Matson and Woodall. On motion of Senator Atwood, Senators Andersen, Matson and Woodall were excused. With the consent of the Senate, Senator Durkan was excused. On motion of Senator Bailey, Senator Foley was excused.

The Color Guard, consisting of Pages Elmer Dones, Color Bearer, and Jeannie Whiteside presented the Colors. Reverend Dennis A. Wood, associate pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"Father, we are here to look at the needs of our state. Give us wisdom to see what these needs are, the courage to do what needs to be done. This we ask through Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION

At 12:10 p.m., on motion of Senator Bailey, the Senate recessed until 12:35 p.m.

SECOND MORNING SESSION

The President called the Senate to order at 12:35 p.m.

MOTION

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

PERSONAL PRIVILEGE

Senator Henry: "As many of you know, I was absent Saturday. I received word late Friday afternoon that my fourteen-year-old daughter was having surgery in White Salmon, and I made it down there with, I must say, all due credit to the Washington State Patrol. My wife and I got as far as Vancouver; but as you know, the worst ice storm in many a moon has hit the area. Several thousand homes are out of electricity and telephone communication. I think perhaps the thing that brightened her whole day the next day was the fine bouquet and the message from the Lieutenant Governor and members of the Senate, so thank you very much. Incidentally, she is doing very fine and hopefully will probably be out of the hospital tomorrow."

REPLY BY THE PRESIDENT

The President: "Thank you very much, Senator Henry. The members and the President are happy that your daughter is doing so well."

MOTIONS

On motion of Senator Wilson, the rules were suspended and Senator Huntley was added as an additional sponsor to Senate Bill No. 190.

On motion of Senator Keefe, the rules were suspended and Senators Guess and Keefe were added as additional sponsors to Senate Bill No. 153.

On motion of Senator Keefe, the rules were suspended and Senator Guess was added as an additional sponsor to Senate Bill No. 204.

On motion of Senator Washington, the rules were suspended and Senator Washington was added as an additional sponsor to Senate Bills Nos. 227, 296, 301, 302, 303, 304.

On motion of Senator Dore, the rules were suspended and Senators Connor and Pritchard were added as additional sponsors to Senate Bill No. 230.

MESSAGE FROM THE GOVERNOR

Office of the Governor, January 19, 1970.

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES,
OF THE STATE OF WASHINGTON.

In compliance with the provisions of Section 11 of the Article III of the Constitution of the State of Washington, I have the honor to submit my report of each case of reprieve, commutation or pardon which I have granted since the adjournment of the First Session of the Forty-First Legislature.

Homer Goehler was sentenced on January 17, 1967 on two counts of bribery of a public official. At the time of application for pardon, Homer Goehler had been incarcerated continuously in the California correctional system since September 19, 1966, was eighty years of age and in poor health. He was eligible for parole in California.

Upon the recommendation of Charles O. Carroll, Prosecuting Attorney for King County, and upon unanimous recommendation of the Washington State Board of Prison Terms and Paroles, on June 4, 1969, I commuted the prison term imposed upon Homer Goehler so that said prison term shall have been deemed to commence upon January 17, 1967, and to terminate on June 4, 1969, with the provision that Homer Goehler pay in full the \$10,000 fine and all costs imposed against him.

Gerardo Cardenas, also known as George Cardenas, was sentenced to six months imprisonment in the Yakima County jail on April 15, 1938 for perjury. On March 13, 1969, Mr. Cardenas made application for a pardon. He demonstrated a record as a good citizen and that the conviction of perjury more than 30 years earlier could prevent him from testifying in a personal injury suit in which he, as plaintiff, was seeking to recover damages for substantial personal injuries. On May 16, 1969, I granted a full pardon.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGES FROM THE HOUSE

January 17, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 26, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 17, 1970.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 2, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

January 17, 1970.

Mr. President: The Speaker has signed HOUSE BILL NO. 190, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE BILL NO. 190.

INTRODUCTION AND FIRST READING

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

Relating to open spaces.

Referred to Committee on Ways and Means—Revenue and Taxation.

PERSONAL PRIVILEGE

Senator Bailey: "Mr. President, members of the Senate, speaking for the Democratic caucus, I would like to point out that we have had called to our attention the fact that the House is not reading in the bills that the Senate passes unless and until they so feel like it. Of course, the House Democrats asked us to hold up the open spaces bill and not read in bills in the Senate and send to the House until they come to time. We just want to make the record straight that if there is any obstruction, it is coming from the House leadership and not from the Senate Democrats. We are going to read in bills and proceed as usual."

SENATE RESOLUTION: 1970-EX-10

By Senators Lewis (Brian), Washington, Holman, Cooney, Henry, McCormack, Marquardt, Woodall, Talley, Guess and Sandison:

WHEREAS, David O. McKay, President of the Church of Jesus Christ of the Latter-Day Saints since 1951, and one of that church's most distinguished leaders, died on Sunday, January 18, 1970 in Salt Lake City, Utah; and

WHEREAS, President McKay guided the church in its growth from one million members to nearly three million members during the period of his presidency; and

WHEREAS, His leadership has been the source of inspiration to all the members of his church, among whom are numbered many citizens of the state of Washington, who by their personal lives and dedication to the lofty ideals of the Mormon church contribute significantly to the moral and spiritual vitality of their communities; and

WHEREAS, President McKay's exhortations and encouragement to the formation of vital family relationships among his followers demonstrates his deep concern with this most fundamental of all social relationships;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington mourns the death of this devoted and beloved leader of the Church of Jesus Christ of the Latter-Day Saints, and joins with the family of President McKay and the members of the church in their bereavement.

BE IT FURTHER RESOLVED, That a copy of this resolution be suitably inscribed and presented to the family of President McKay and The Council of Twelve of the Church of Jesus Christ of the Latter-Day Saints.

MOTIONS

Senator Washington: "I would like to move that the name of Senator Brian Lewis be the prime sponsor. I find that after the drafting of the resolution we do have a member of

the Latter-Day Saints as a member of our Senate body. I now move that the resolution be adopted, and I would like to accord the honor of speaking first on this to Senator Lewis. I feel that it is only fitting since he is a member of this church."

REMARKS BY SENATOR BRIAN LEWIS

Senator Lewis (Brian): "Thank you, Mr. President; thank you, Senator Washington. Gentlemen of the Senate, yesterday was a sad day for the members of the Church of Jesus Christ of Latter-Day Saints. I think too it was a sad day for the citizens of the United States and of this world. Certainly President McKay was a secular leader inasmuch as he was the President of our Church, but more than that he was a man who continually expounded a message that I think is of high value to all Americans and all men of good will on this earth.

"If there is one high point that resounded through the message that he gave to us as members of the Church that I think not only we benefit from but that all of us can benefit from, it was the message of continually working to strengthen the family as a central unit around which one should build one's life. If all of us would at all times look first to strengthening our family, providing the leadership as men that we should, setting the example that we should, practicing the moral and spiritual values that we all cherish but from time to time we unfortunately forget—and I am as guilty as anyone of this—then I think that the problems of crime, delinquency, and the other many problems besetting us would be very considerably diminished in this land.

"The Church has flourished under President McKay's leadership. Because it has flourished, it is strong; and it will move ahead without him although he will always be with us. I would ask you to join with us in acknowledging the contribution that President McKay has made to the spiritual leadership not only of our Church but of the United States of America by the passage of this resolution and I am most sincerely appreciative of Senator Washington's courtesies in this regard. Thank you."

REMARKS BY SENATOR WASHINGTON

Senator Washington: "Mr. President and members of the Senate, perhaps this resolution could have been drafted with maybe a bit more of the eloquence that this occasion deserves had I known that Senator Lewis was a member of the Church; but in my area since the Columbia Basin has developed, I have become very closely acquainted with a large number of the members of this Church. They have contributed so greatly to the civic, the citizenship, and the prosperity of our area. I could not let the opportunity go by without expressing my own deep regret at the passing of President David O. McKay and knowing that the members of the Senate would also join me. It was not until this morning that I found that Senator Lewis was a member, and certainly he has made a moving tribute to this great leader.

"I do want to point out that from my own experience we note in the Columbia Basin that the rate of juvenile delinquency, the crime rate, and the rate on welfare of our citizens who are members of the Church of Jesus Christ of Latter-Day Saints is extremely low. Again it certainly shows the advantage, the basic reason for the close family ties, and the reason why this Church has been able to move ahead with its emphasis on close family cooperation. Again, although this may not be proper, I would like to ask that the names of Senators McCormack, Marquardt, Woodall, Talley, Guess, and also any others who wish, to have their names added to the resolution. If there are any more, I am sure your names can be added."

The motion by Senator Washington carried and the resolution was adopted.

MOTIONS

On motion of Senator Keefe, the remarks made by Senators Lewis (Brian) and Washington were ordered spread upon the journal.

On motion of Senator Wilson, the Senate Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs was relieved of further consideration of Senate Joint Memorial No. 3.

Senator Peterson (Ted) moved that the rules be suspended, Senate Joint Memorial No. 3 be advanced to second reading and read the second time in full.

POINT OF INQUIRY

Senator Stender: "Senator Peterson, in the last month or so, we heard the pleas from all these city officials about money. Now you are talking about 750 acres of park; have they money enough to develop a park in Seattle to this extent?"

Senator Peterson (Ted): "Well, it will not only be Seattle money. There will be some

matching monies, Senator, on a park of this kind; and we do have monies set aside. This has worked in the overall pattern of the Seattle Park Department now."

The motion carried.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Joint Memorial No. 3 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

MOTION

On motion of Senator Greive, Senate Joint Memorial No. 3 was made a special order of business at the end of the third reading calendar today.

SECOND READING

SENATE BILL NO. 22, by Senator McCormack:

Enabling owners of destroyed motor vehicles to obtain refund of excise taxes paid.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Bill No. 22 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Woodall: "Senator McCormack, in addition to a license, you say he gets the excise tax refund, is that correct?"

Senator McCormack: "That is correct."

Senator Woodall: "Well, now is not the excise tax based upon property that you owned as of the first day of the year?"

Senator McCormack: "Yes, but the deadline on it is . . ."

Senator Woodall: "Well, I know, but the deadline of paying lots of other taxes is March 31. If you own a cow on the first day of January or a horse and that animal is assessed, just because that animal dies before the March 31 deadline when you have to pay the tax, you still have to pay the personal property tax on the horse or cow that you owned as of the first day of January, do you not?"

Senator McCormack: "You will have to speak for the cows, Senator Woodall; I will speak for the automobiles."

Senator Woodall: "I thought I would speak for the cows and you for the other species. I can understand your theory on the license fee because you have to buy two licenses in one year but to forgive the excise tax because it is true that your excise tax is based upon property which you owned and had in your possession as of the first day of the year. Again the analogy if you owned livestock as of the first day of January and if they die, you still have to pay the tax on them. I am wondering about the theory or rationale; are you opening up something so that if a person has not paid his tax on livestock prior to the 31st of March he can come in and get a reduction if he does not own that animal as of the 31st?"

Senator McCormack: "Senator Woodall, I do not think this applies. In the first place we think of an automobile as being a necessity. Most persons when they lose their automobile immediately have to go right out and buy another one. The first thing they do, as soon as they settle up with their insurance agent or even before, is to buy another automobile and go right out and pay excise tax on it. The only thing we are talking about is people who pay the tax in advance before the deadline and then are ready to pay it all over again. I think this is a justifiable position."

Senator Canfield: "Now, Senator McCormack, if you paid this, say on the first of January before you had to really, and then did not wreck it until the last day of January, you would have had the use of this car for a month. Yet you would be asking for a refund on that time of use also, would you not, under your bill?"

Senator McCormack: "Of course, this is true, Senator. You could lose the car on the second day of January or the thirtieth day of January. These things average out."

Senator Canfield: "Don't you think, Senator McCormack, this would be opening up a lot of loopholes for other types of property?"

Senator McCormack: "I do not believe so because this is a voluntary operation where you are paying your taxes in advance."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 22, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Bailey, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—40.

Voting nay: Senators Atwood, Canfield, Francis, Metcalf, Ryder, Woodall—6.

Absent or not voting: Senator McCutcheon—1.

Excused: Senators Durkan, Foley—2.

SENATE BILL NO. 22, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 23, by Senator McCormack:

Requiring necessary braking equipment on motor vehicles and trailers when sold.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Bill No. 23 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Bailey: "Senator McCormack, why haven't you taken other safety factors into the regulations? Why just brakes? Why shouldn't a used car or used trailer dealer provide for all safety factors instead of just the brake factor?"

Senator McCormack: "This is the only subject area in which I am aware of a violation, Senator. I am not sufficiently familiar with the safety regulations to have gotten into that. Just one situation was pointed out to me, and I think it calls for this correction. There may be other areas into which we should look for this sort of situation, but I do not know of them. I am just not familiar with them."

Senator Canfield: "On these bills, Senator McCormack, most of them are highway bills and in studying these over from one session to another, I find that sometimes there is not a careful definition of what certain things mean. As I look at this casually since you put this on the floor, it appears that all kinds of trailers are included under the act, even such things as U-hauls, travel trailers, and the like. Is that correct?"

Senator McCormack: "Yes, that is correct."

Senator Canfield: "On page two, for instance, we come down to line eighteen. We find that even those have to have brakes on them if they exceed forty percent of the weight of the hauling vehicle. Now that is a sticker because they just do not make them that way, and I am just wondering if you have thought of that."

Senator McCormack: "Senator, I am not going to get into the business of trying to define safety standards. I do not feel it is my area. All I am saying is that if the safety standards are in effect and they are required on the highway then they should be required on the vehicle when the dealer sells it to the purchaser. If there are other studies that would indicate that the safety laws of our state are inadequate, I would welcome such a study. I do not pretend that this bill covers that area. This may be the prerogative of somebody outside the highway committee or the highway interim committee that is undertaken."

Senator Canfield: "There are thousands and thousands of these travel trailers on the highways that could never meet this particular requirement."

Senator McCormack: "I cannot speak for that, Senator. I can only say that as far as I know the highway patrol and the highway department seem to be completely satisfied with this law. They have worked it over pretty carefully. If there are other improvements that could be made to the law, that is fine; however, I still believe that my original thesis holds that if these requirements are imposed upon operators they should be imposed upon sellers."

Senator Lewis (Harry): "Senator Woodall, the person I am concerned about is one of the citizenry who is selling a car on his own. What position is he placed in if the brake fluid drains out during the night after he has sold the car or something happens that he is not aware of? Are we requiring this private citizen to have a brake inspection certificate or something of that order prior to his selling a car to this neighbor?"

Senator Woodall: "I have not read this bill in detail. I honestly cannot answer whether it applies to remote and isolated sales or whether it only applies to people engaged in a business. You will have to talk to one of the authors. I cannot answer that."

Senator Lewis (Harry): "Senator McCormack, for the record, is it your intent with this legislation that a private citizen selling a used car to be required to have any type of an inspection certificate or document verifying that the brakes on the car are good, or is it your intent that they shall in good faith sell a vehicle in good operating condition?"

Senator McCormack: "Senator Lewis, to answer your question, there is no intent in this bill to require any sort of certificate of inspection in any private sale of any vehicle nor is there any intent in this bill or in the authorship of this bill to set up any cause of action or civil suit between any two private individuals for any inadvertent violation of this law in a private transaction."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 23, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson, Woodall—42.

Voting nay: Senators Andersen, Lewis (Harry), Twigg—3.

Absent or not voting: Senators Canfield, McCutcheon—2.

Excused: Senators Durkan, Foley—2.

SENATE 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.

Senators Greive, Bailey and Henry demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan and Foley who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

THIRD READING

ENGROSSED SENATE BILL NO. 88, by Senators Washington, Henry, Odegaard, Wilson, Durkan, Huntley, Bailey, McCormack, Gissberg, Donohue, McDougall, Woodall, Twigg, Guess, Peterson (Lowell), Sandison and Canfield:

Providing for certain high school and nonhigh districts to be declared remote and necessary for state aid purposes.

The bill was read the third time and placed on final passage.

POINT OF INQUIRY

Senator Bailey: "Senator Ridder, did you know this was in the free conference report of the budget when it passed on the floor?"

Senator Ridder: "Personally, I did not. They say it inadvertently got in there, and I certainly do not know how it did. I was not party nor privy to the action that was taken."

Debate ensued.

POINT OF INQUIRY

Senator Mardesich: "Mr. President, I would like both to comment and to ask a question of anyone who would care to answer. First of all, when we plead ignorance of what goes on and especially as a result of a conference committee, I do not think that we are pleading anything that is new and different then it has been in the last twenty years that I have been here. Things happen rapidly and of course it is easy to claim that you did not know something was going on when you may well have in fact had some information on the subject. I feel it is the duty of every person on this floor to know what he is voting on and if he does not know, he is bound to answer for it. That is all I wish to say on that part of the subject.

"Senator Odegaard tells us that the money is in the budget. We look back a few months and recall that the superintendent of public instruction decided that he had some excess money, some here and there and somewhere else, and he raised the level of state support to students by some three or four dollars. However, it may well be that he got that money or he decided that there was some excess money available not only from the fact that there were fewer students coming in than we had anticipated but also that this money was available as a result of the wording of the budget bill. Now if that is so, we are facing the possibility that we may now not have enough money left in the budget to allocate on his new matching level. I do not know whether that is true or not. I am merely asking the question. Does anyone know?

"Secondly, in reading new section two in the bill, it says 'During the current fiscal period ending June 30, 1971,' and it goes on to say that those school districts will get what they should have gotten under the old formula in effect during the fortieth session of the legislature. To me, a reading of that would say that they get that formula, the extra money that comes as a result of application of that formula, for the current fiscal period and that means this school year as well as the next one. If that is so, then where is the money coming from and why are they getting a full equalization when they have already gone through half a school year? I do not know whether this is correct or not but I am wondering if anyone can give me the answers."

Senator Bailey: "Mr. President, as one of the sponsors of the bill, I can answer the last part of your question, Senator. Because of the confusion and Superintendent Bruno did not know this was in the budget bill either. He had issued a statement to the school districts the last day of the session, having them compute on the basis of last biennium. The next day when he read the budget bill he found out he had to revamp that because the legislature had changed it, and he was not aware of the change. As a result, the confusion in determining who was 'remote and necessary' brought the matter up to the State Board and they declared every district 'remote and necessary' for the first half of the biennium. Therefore, there would be no change in the current year. It would only change the last half of the biennium. Now Len's commentary Mr. Bruno probably would not like to hear, but there are forty-two districts, I believe, that were approved and forty-two districts disapproved. It has not been checked out, but the story goes that the forty-two districts disapproved. It has not been checked out, but the story goes that the forty-two districts approved are all represented by members in the state board of education. I think that would be interesting to look at too."

Further debate ensued.

POINT OF ORDER

Senator Mardesich: "I question whether the subject matter Senator Woodall is discussing is really in point on this bill."

REPLY BY THE PRESIDENT

The President: "The President believes that Senator Woodall is quoting from Reed's rules in order to establish the basis for a point that he intends to make."

Further debate ensued.

POINT OF ORDER

Senator Lewis (Harry): "Mr. President, it is clearly and patently obvious that Senator Dore is not speaking on the subject, and I raise that point of order."

POINT OF ORDER

Senator Greive: "I heard it once, and I heard it a second time. In my years here, I have never heard of such a ridiculous point. I do not care if it is made by a Democrat or a Republican. Sure we have a question of an amendment where there are limitations but anything that is persuasive on the bill whether it is bean soup, the space polarization, or anything else, a man has a right to say. We have always had unlimited debate, and I have never heard of this particular approach. I think that we ought to clarify it."

REPLY BY THE PRESIDENT

The President: "Senator Dore will please confine his remarks to the measure."

Senators Henry, Gissberg and Canfield demanded the previous question.

On a rising vote the demand was not sustained.

Further debate ensued.

Senators Keefe, Dore and Greive demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 88, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Day, Donohue, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Matson, Metcalf, Odegaard, Peterson (Lowell), Ryder, Sandison, Stender, Talley, Twigg, Washington, Wilson, Woodall—34.

Voting nay: Senators Connor, Cooney, Dore, Francis, Keefe, Mardesich, Marquardt, Newschwander, Peterson (Ted), Pritchard, Ridder, Stortini, Walgren, Williams—14.

Excused: Senator Durkan—1.

ENGROSSED SENATE BILL NO. 88, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, Engrossed Senate Bill No. 88 was ordered immediately transmitted to the House.

SPECIAL ORDER OF BUSINESS

SENATE JOINT MEMORIAL NO. 3, by Senator Peterson (Ted):

Requesting Congress to turn Fort Lawton over to the people of Seattle for development of park.

The time having arrived, the Senate resumed consideration of Senate Joint Memorial No. 3 on third reading and final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 3, and the memorial passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Excused: Senator Durkan—1.

SENATE JOINT MEMORIAL NO. 3, having received the constitutional majority, was declared passed.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Dore, the Senate returned to the sixth order of business.

On motion of Senator Dore, there being no objections, the Committee on Public Institutions was relieved of further consideration of Senate Bill No. 230.

On motion of Senator Dore, Senate Bill No. 230 was referred to the Committee on Ways and Means—Appropriations.

At 3:45 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Tuesday, January 20, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

NINTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 20, 1970.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore.

The Color Guard, consisting of Pages Steve Burdick, Color Bearer, and Patti Wallin presented the Colors. Reverend James J. McGreal, pastor of St. Michael's Church of Olympia, offered prayer as follows:

"We pray to You, God of might and justice, through Whom authority is rightly administered, laws are enacted and judgments decreed, to assist this assemblage of Senators to exercise dutifully their responsibilities, Direct their actions by Your inspiration and Your continued help. Amen."

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 20, 1970.

SENATE BILL NO. 4, authorizing compensation for veterans of the Viet Nam conflict (reported by Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Bailey, Durkan, Henry, Mardesich,

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE BILL NO. 15, shortening from one year to six months residency requirement to file divorce complaint (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Durkan, Francis, Holman, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE BILL NO. 66, regulating fees for transcripts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Holman, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE BILL NO. 67, providing for the election of the court of appeals judge by position number (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Holman, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

MESSAGES FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Western Interstate Commission for Higher Education, subject to your confirmation:

Gordon Sandison, appointed July 24, 1969 for a term ending June 9, 1973, succeeding himself.

Sincerely,

DANIEL J. EVANS

Governor.

It was moved by Senator Greive that the rules be suspended and the appointment of Gordon Sandison to the position of Member of the Western Interstate Commission for Higher Education be now confirmed.

PERSONAL PRIVILEGE

Senator Atwood: "Senator Sandison has been of long and illustrious service on this committee, and I am most happy to join with you in confirming it. I think he has also been the Past President of this organization as well, so I am sure everyone can join in confirmation without any trepidation or hesitation."

PRESIDENT'S REMARKS

The President: "The President should like the privilege of enlarging on one point made by Senator Atwood, and that is that Senator Sandison is the only person ever to serve as President of this particular organization who was not immediately in any way associated in education formally. He is a layman with a great interest in all types of education. It seems quite evident that the members of the Senate wish to suspend all rules and to immediately confirm this appointment."

The motion was carried.

APPOINTMENT OF GORDON SANDISON

The Secretary called the roll and the appointment of Gordon Sandison to the position of Gordon Sandison to the position of Member of the Western Interstate Commission for Higher Education, was confirmed by the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Dore, Holman, Ridder, Sandison—4.

JOURNAL OF THE SENATE

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Board of Prison Terms and Paroles subject to your confirmation:

Donald Sullivan, appointed June 16, 1969 for a term ending April 15, 1974, succeeding Tim McCullough.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Public Institutions.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Board of Prison Terms and Paroles, subject to your confirmation:

Jack Berry, appointed July 1, 1969 for a term ending April 15, 1972.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Public Institutions.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Board of Prison Terms and Paroles, subject to your confirmation:

Helen Ratcliff, appointed July 1, 1969 for a term ending April 15, 1974.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Public Institutions.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of member, Board of Trustees, Central Washington State College, subject to your confirmation:

Dr. William Hooper, appointed September 11, 1969 for a term ending March 1, 1976, succeeding Roy Wahle.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Board of Trustees, Central Washington State College, subject to your confirmation:

Dr. W. Eugene Brain, appointed September 11, 1969 for a term ending March 1, 1976, succeeding Archie Wilson.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, Eastern Washington State College, subject to your confirmation:

Merle Haffner, appointed September 30, 1969 for a term ending September 30, 1975, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, Eastern Washington State College, subject to your confirmation:

Barbara R. Nelson, appointed October 24, 1969 for a term ending March 1, 1976, succeeding Melvin Voorhees.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, The Evergreen State College, subject to your confirmation:

Trueman Schmidt, appointed August 6, 1969 for a term ending August 6, 1975, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, The Evergreen State College, subject to your confirmation:

Halvor Halvorson, appointed August 11, 1969 for a term ending August 6, 1972, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, Western Washington State College, subject to your confirmation:

Mrs. Fred Butterworth (Ritajeau), appointed August 15, 1969 for a term ending March 16, 1976, succeeding Bernice Hall.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, Western Washington State College, subject to your confirmation:

Millard B. Hodges, appointed August 15, 1969 for a term ending March 16, 1976, succeeding Joseph Pemberton.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Director, Department of Health, subject to your confirmation:

Dr. Wallace Lane, appointed January 1, 1969 for a term ending at the Governor's pleasure, succeeding Dr. Bernard Bucove.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Washington State Personnel Board, subject to your confirmation:

R. R.-Rathfelder, appointed January 24, 1969 for a term ending January 4, 1975, succeeding Stanbery Foster.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on State Government.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Parks and Recreation Commission, subject to your confirmation:

Jeff Domaskin, appointed February 5, 1969 for a term ending December 31, 1974, succeeding Clair Greeley.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Director, Pollution Control Commission, subject to your confirmation:

James P. Behlke, appointed January 1, 1969 for a term ending at the Governor's pleasure, succeeding Roy Harris.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Aeronautics Commission, subject to your confirmation:

John C. Long, appointed December 31, 1969 for a term ending December 31, 1974, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on State Government.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Aeronautics Commission, subject to your confirmation:

George W. Corley, appointed December 31, 1969 for a term ending December 31, 1974, succeeding J. Donald Sullivan.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on State Government.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Trustee, Western Washington State College, subject to your confirmation:

Patrick C. Comfort, appointed January 2, 1970 for a term ending March 16, 1976, succeeding David G. Sprague.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member of the Higher Education Personnel Board, subject to your confirmation:

Glen R. Norman, appointed July 24, 1969 for a term ending July 1, 1973.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member of the Higher Education Personnel Board, subject to your confirmation:

Frank Cleary, appointed July 24, 1969 for a term ending July 1, 1975.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

JOURNAL OF THE SENATE

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Higher Education Personnel Board, subject to your confirmation:

E. Robert Fristoe, appointed July 24, 1969 for a term ending July 1, 1971.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Tax Board of Appeals, subject to your confirmation:

Robert I. Tenney, appointed July 24, 1969 for a term ending March 1, 1973, succeeding Dr. Donald Webster.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Ways and Means—Revenue and Taxation.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Washington State Highway Commission, subject to your confirmation:

Baker Ferguson, appointed July 1, 1969 for a term ending July 1, 1975, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Highways.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Director, Department of Labor and Industries, subject to your confirmation:

William C. Jacobs, appointed August 16, 1969 for a term ending at the Governor's pleasure, succeeding Harold Petrie.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Labor and Social Security.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Trustee, State Board for Community College Education, subject to your confirmation:

1. Mrs. Jean Bakke, appointed April 3, 1968 for a term ending April 3, 1972, succeeding herself.

2. George Duecy, appointed April 3, 1967 for a term ending April 3, 1971.

3. John L. Hagensen, appointed April 3, 1968 for a term ending April 3, 1972, succeeding himself.

4. Mrs. Ruth Shepherd, appointed April 4, 1969 for a term ending April 3, 1973, succeeding herself.

5. Avery Peyton, appointed April 3, 1967 for a term ending April 3, 1970.

6. Evert Landon, appointed April 3, 1967 for a term ending April 3, 1970.

7. John R. Henry appointed July 17, 1969 for a term ending April 3, 1973, succeeding Dr. James Moore.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 1, (Peninsula) subject to your confirmation:

1. Gerald A. Hunt, appointed April 3, 1967 for a term ending April 3, 1972.
2. Henry V. Charnell, Jr., appointed April 3, 1969 for a term ending April 4, 1974, succeeding himself.
3. Harry T. Hunt, appointed April 3, 1967 for a term ending April 3, 1970.
4. Boyd Rupp, appointed April 3, 1967 for a term ending April 3, 1971.
5. Harris Johnson, appointed April 17, 1968 for a term ending April 3, 1973, succeeding Dr. R. H. Wehrli.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 2, (Grays Harbor) subject to your confirmation:

1. Dr. William J. McKinney, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
2. Harry C. James, appointed April 3, 1967 for a term ending April 3, 1972.
3. Oliver Tibbets, appointed April 3, 1967 for a term ending April 3, 1970.
4. Edwin Van Syckle, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
5. Lawrence Weinstein, appointed April 3, 1967 for a term ending April 3, 1971.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 3, (Olympic) subject to your confirmation:

1. Dr. Bruce Craswell, appointed September 22, 1969 for a term ending April 3, 1974, succeeding Peggy Larson.
2. John O'Neill, appointed April 3, 1967 for a term ending April 3, 1970.
3. Louis Soriano, appointed April 3, 1967 for a term ending April 3, 1972.
4. Vacant.
5. Gordon L. Farrar, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 4, (Skagit Valley) subject to your confirmation:

1. H. P. Creel, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
2. Norman H. Dahlstedt, appointed April 3, 1967 for a term ending April 3, 1971.
3. Dr. J. W. McCann, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
4. Dr. Richard M. Hoag, appointed April 3, 1967 for a term ending April 3, 1970.
5. Norman P. Oldenburg, appointed April 3, 1967 for a term ending April 3, 1972.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 5, (Everett) subject to your confirmation:

1. Edward S. Bordsen, appointed April 3, 1967 for a term ending April 3, 1971.
2. Archie Baker, appointed April 3, 1967 for a term ending April 3, 1970.
3. Ramon J. Gould, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
4. Mrs. Anne Nelskog, appointed April 3, 1967 for a term ending April 3, 1972.
5. Dr. Arne G. Hansen, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 6, (Seattle) subject to your confirmation:

1. P. Cameron De Vore, appointed April 3, 1968 for a term ending April 3, 1974, succeeding himself.
2. Marvin E. Glass, appointed July 24, 1969 for a term ending April 3, 1974, succeeding Carl Dakan.
3. Arthur Siegal, appointed April 3, 1967 for a term ending April 3, 1970.
4. James Sullivan, appointed April 3, 1967 for a term ending April 3, 1971.
5. Mrs. Roy S. Mar, appointed April 3, 1967 for a term ending April 3, 1972.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 7, (Shoreline) subject to your confirmation:

1. Mrs. Ina V. Knutsen, appointed April 3, 1967 for a term ending April 3, 1972.
2. Robert V. Leonard, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
3. Don C. McChesney, appointed April 3, 1967 for a term ending April 3, 1970.
4. Ben Wood, Jr., appointed April 3, 1967 for a term ending April 3, 1971.
5. Pinckney M. Rchrback, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 8, (Bellevue) subject to your confirmation:

1. C. W. Duffy, appointed April 3, 1967 for a term ending April 3, 1972.
2. C. E. Robison, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
3. Roy S. Peterson, appointed April 3, 1967 for a term ending April 3, 1971.
4. Mrs. Harriett S. Jaquette, appointed April 3, 1967 for a term ending April 3, 1973.
5. Robert F. Hayman, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 9, (Highline) subject to your confirmation:

1. Vincent Mennella, appointed September 11, 1969 for a term ending April 3, 1973, succeeding Glen Norman.
2. Mrs. Shirley S. Murray, appointed April 3, 1967 for a term ending April 3, 1972.
3. David Lundberg, appointed April 3, 1967 for a term ending April 3, 1971.
4. Edward Le Penske, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
5. Reid E. Hale, appointed April 3, 1967 for a term ending April 3, 1970.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 10, (Green River) subject to your confirmation:

1. Dr. Richard A. Eidal, appointed April 3, 1968 for a term ending April 3, 1974, succeeding himself.
2. Dr. Spencer W. Shaw, appointed April 3, 1967 for a term ending April 3, 1970.
3. Hugh L. Mathews appointed April 3, 1967 for a term ending April 3, 1971.
4. William F. Kennelly, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
5. Robert Olson, appointed April 3, 1967 for a term ending April 3, 1972.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 11, (Clover Park) subject to your confirmation:

1. James A. Davis, appointed April 3, 1967 for a term ending April 3, 1972.
2. Merrill A. Young, appointed April 3, 1967 for a term ending April 3, 1970.
3. Mrs. Jack Erickson, appointed May 27, 1969 for a term ending April 3, 1974, succeeding John Anderson.
4. Wallace Hager, appointed April 17, 1968 for a term ending April 3, 1973, succeeding Mrs. Phyllis Erickson.

5. Gordon S. Gaspard, appointed April 3, 1967 for a term ending April 3, 1971.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 12, (Centralia) subject to your confirmation:

1. Vernon L. Martin, appointed April 3, 1967 for a term ending April 3, 1972.
2. A. T. Koeninger, Jr., appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.
3. Ernest Hamilton, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
4. Mrs. Anne M. Caldwell, appointed April 3, 1967 for a term ending April 3, 1970.
5. George Warren, appointed April 3, 1967 for a term ending April 3, 1971.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 13, (Lower Columbia) subject to your confirmation:

1. Herbert C. Urie, appointed April 3, 1967 for a term ending April 3, 1971.
2. Mrs. Ward H. Smith, appointed July 19, 1969 for a term ending April 3, 1970, succeeding Earl Reed.
3. William L. Brigman, appointed April 3, 1967 for a term ending April 3, 1972.
4. Eric Feasey, appointed January 20, 1969 for a term ending April 3, 1973, succeeding Timothy A. Manning.
5. Abe J. Martin, appointed April 3, 1969 for a term ending April 3, 1974, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 14, (Clark) subject to your confirmation:

1. Ronald Keil, appointed April 3, 1969 for a term ending April 3, 1974.
2. D. Loyd Hinds, Sr., appointed April 3, 1967 for a term ending April 3, 1972.
3. Richard E. Lawton, appointed April 3, 1967 for a term ending April 3, 1970.
4. Clarence Irwin, appointed April 3, 1967 for a term ending April 3, 1971.
5. Mrs. Betty J. Mage, appointed April 3, 1968 for a term ending April 3, 1973, succeeding herself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 15, (Wenatchee) subject to your confirmation:

1. Ross A. Heminger, appointed April 3, 1967 for a term ending April 3, 1972.

2. Dr. Robert N. Kintner, appointed April 3, 1967 for a term ending April 3, 1970.
3. Dr. Joseph Beall, appointed April 3, 1969 for a term ending April 3, 1974, succeeding Barney Slaughaupt.
4. Mrs. Merilynn A. Wilson, appointed April 3, 1967 for a term ending April 3, 1971.
5. Joan Ludwick, appointed April 19, 1968 for a term ending April 3, 1973, succeeding Joan E. Van Divort.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 16, (Yakima) subject to your confirmation:

1. Alex Deccio, appointed July 3, 1969 for a term ending April 3, 1974, succeeding himself.
2. W. Zeke Smith, appointed April 3, 1968 for a term ending April 3, 1974, succeeding himself.
3. Yoshio Hata, appointed July 3, 1969 for a term ending April 3, 1973, succeeding A. Delt Clark.
4. Paul Rickman, appointed April 3, 1967 for a term ending April 3, 1971.
5. Mrs. Ruth F. Mottley, appointed October 3, 1969 for a term ending April 3, 1970, succeeding Walter Stauffacher.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 17, (Spokane) subject to your confirmation:

1. Leonard Stubbs, appointed April 3, 1967 for a term ending April 3, 1970.
2. Bryant Smick, appointed April 3, 1967 for a term ending April 3, 1971.
3. Mrs. Ellen Sax, appointed June 23, 1969 for a term ending April 3, 1974, succeeding Mrs. Vida Finch.
4. Thomas S. Giboney, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
5. Eldon Reiley, appointed April 3, 1967 for a term ending April 3, 1972.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 18, (Big Bend) subject to your confirmation:

1. Walter L. Click, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
2. Dr. Harold L. Tracy, appointed June 4, 1968 for a term ending April 3, 1973, succeeding Burl Wyckoff.
3. Max Kohler, appointed April 3, 1967 for a term ending April 3, 1970.
4. Alma S. Galbreath, appointed April 3, 1967 for a term ending April 3, 1971.
5. Dean Judd, appointed April 3, 1969 for a term ending April 3, 1974, succeeding Winston Webber.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 19, (Columbia Basin) subject to your confirmation:

1. Charles E. Bowers, appointed April 3, 1967 for a term ending April 3, 1971.
2. Guy D. Adams, appointed April 3, 1967 for a term ending April 3, 1972.
3. O. C. Adams, appointed December 22, 1969 for a term ending April 3, 1970, succeeding Tommy Ambrose.
4. Lyle D. Perrigo, appointed April 4, 1969 for a term ending April 3, 1974, succeeding himself.
5. Terrill H. Davis, appointed June 24, 1969 for a term ending April 3, 1974, succeeding himself.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 20, (Walla Walla) subject to your confirmation:

1. Leslie W. James, appointed April 3, 1967 for a term ending April 3, 1970.
2. Arden Archer, appointed June 23, 1969 for a term ending April 3, 1974, succeeding John Malone.
3. I. L. Smith, appointed April 3, 1968 for a term ending April 3, 1973, succeeding himself.
4. Dr. George W. Wood, appointed April 3, 1967 for a term ending April 3, 1972.
5. Larry A. Beaulaurier, appointed April 3, 1967 for a term ending April 3, 1971.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 21, (no college in this district) subject to your confirmation:

1. Mrs. E. K. Stimpson, appointed April 3, 1967 for a term ending April 3, 1970.
2. Stanley Brunner, appointed June 9, 1969 for a term ending April 3, 1974, succeeding Duane Reed.
3. Mrs. T. J. Bay, appointed April 3, 1967 for a term ending April 3, 1971.
4. Dr. Sam P. Kelly, appointed April 3, 1967 for a term ending April 3, 1972.
5. James G. McKellar, appointed April 3, 1968 for a term ending April 3, 1973, succeeding Lawrence R. Belka.

Sincerely,
DANIEL J. EVANS
Governor.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the position of Member, Community College District No. 22, (Tacoma) subject to your confirmation:

1. John Binns, appointed April 3, 1967 for a term ending April 3, 1971.
2. Charles Edmunds, appointed April 3, 1967 for a term ending April 3, 1973.
3. Mrs. Maxine Myers, appointed April 3, 1967 for a term ending April 3, 1970.
4. Robert M. Yamashita, appointed September 15, 1969 for a term ending April 3, 1972, succeeding Lewis Hatfield.

5. Dewey H. Tuggle, Jr., appointed May 8, 1969 for a term ending April 3, 1974, succeeding Frank Cooper.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Higher Education and Libraries.

MOTION

At 10:55 a.m., on motion of Senator Bailey, the Senate recessed until 11:50 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:50 a.m.

SECOND READING

SENATE BILL NO. 9, by Senators Greive, Stortini and Odegaard:
Providing workmen's compensation for permanent partial disability.
The bill was read the second time by sections.

MOTION

On motion of Senator Greive, Senate Bill No. 9 was held on the second reading calendar for Wednesday, January 21, 1970.

SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:
Providing for increase of benefits under workmen's compensation.
The bill was read the second time by sections.

MOTIONS

On motion of Senator Greive, Senate Bill No. 10 was held for the second reading calendar for Wednesday, January 21, 1970.

At 12:05 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, January 21, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 21, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Les Matson, Color Bearer, and Vicki Hames presented the Colors. Reverend James J. McGreal, pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Speech is God's gift. We shall have to account for it. Through expressed ideas—words—we communicate with each other, we reveal what we are. At times we haven't even a right to be silent. But speaking is a serious matter and we must weigh our words in God's sight. In the light of this fact, guide the speeches, Almighty God, of this governing body always toward the common good of the people whom they represent. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 20, 1970.

SENATE BILL NO. 37, setting school district assessment factor for annual distribution of state funds to school districts under weighted enrollment formula (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Stender, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

MOTIONS

On motion of Senator McCormack, the Committee on Rules and Joint Rules was relieved of consideration of Senate Bill No. 37.

On motion of Senator McCormack, Senate Bill No. 37 was referred to the Committee on Ways and Means—Revenue and Taxation.

January 20, 1970.

SENATE BILL NO. 70, entitling classified or noncertificated employees of school districts to accumulated sick leave upon termination of employment (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Knoblauch, Marquardt, Odegaard, Stender, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE JOINT RESOLUTION NO. 4, providing for an assessed valuation of twenty-five percent of the true and fair value of property (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators McCutcheon, Chairman; Canfield, Cooney, Donohue, Greive, Keefe, Metcalf, Stender, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE JOINT RESOLUTION NO. 9, proposing constitutional amendment to lower voting age to eighteen years (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators McCutcheon, Chairman; Donohue, Francis, Greive, Holman, Keefe, McCormack, Metcalf.

Passed to Committee on Rules and Joint Rules for second reading.

MOTIONS

On motion of Senator Twigg, the Committee on Highways was relieved of further consideration of Senate Bill No. 277.

On motion of Senator Twigg, Senate Bill No. 277 was referred to the Committee on Labor and Social Security.

MESSAGE FROM THE HOUSE

January 20, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 53, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

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

Creating a department of social and health services.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

SENATE RESOLUTION: 1970-EX-11

By Senators Peterson (Lowell) and Wilson:

WHEREAS, Washington State Highway Route 20, known as the North Cross-State Highway, traverses and serves in whole or in part the North Cascades National Park, the Ross Lake National Recreation Area, the Pasayten Wilderness, and the Mt. Baker and Okanogan National Forests, all within the northern sector of the state of Washington; and

WHEREAS, This same North Cross-State Highway, when completed, will in addition provide direct access from the northwest coastal area of Washington State to the interior of the Okanogan and Methow Valleys, and by means of the inter-connection of Interstate Route 5 on the west with State Routes 97 and 153 on the east will serve through traffic between the coastal areas and eastern Washington State; and

WHEREAS, The North Cross-State Highway will serve not only recreational traffic but will as well provide service to the commercial and industrial traffic involving the lumber, petroleum, agriculture, mining and shipping industries; and

WHEREAS, Only one section of this highway, some 3.5 miles in length, and identified as Vicinity of East Creek to Granite Creek Crossing, remains to be placed under construction to connect the portions of the route already under construction; and

WHEREAS, The sum of \$1,000,000 in Public Lands Highway Funds has been allocated for this work by the United States Department of Transportation, but under the President's request to defer new construction starts the funds have not been released for obligation; and

WHEREAS, The construction season in the North Cascades area where the above project is located is extremely short, and therefore an entire construction season can be lost if a project is not advertised for bids in March or April, thereby delaying the opening of the entire route for up to a year;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That while ever mindful of the condition of the national economy and the President's wishes in connection therewith, in view of the necessity to place the cited project under construction in a timely manner thereby serving the best interests of the populace of the state of Washington, the Senate does respectfully pray that the President of the United States and the Secretary of the United States Department of Transportation immediately release for obligation the \$1,000,000 of Public Lands Highway Funds heretofore allocated to the state of Washington for construction of the North Cross-State Highway project as identified herein.

BE IT FURTHER RESOLVED, That copies of this resolution be immediately

transmitted to the Honorable Richard M. Nixon, President of the United States; the Secretary of the United States Department of Transportation; and to each Member of Congress from the state of Washington.

Senator Peterson (Lowell) moved adoption of the resolution.

Debate ensued.

Senator Mardesich moved adoption of the following amendment:

On page 2, line 6, after "view" and before "of" insert "of the high unemployment rate within the state of Washington in comparison to the national average and"

POINT OF INQUIRY

Senator Huntley: "Senator, do you know whether the matching funds from the state highway commission are available? Have they been allocated to this section of road or not?"

Senator Peterson (Lowell): "It is my understanding, Senator, that they have and the only thing that is holding up the further contract is the release of the federal funds."

Senator Huntley: "If that is true, Mr. President and members of the Senate, I see nothing wrong with the resolution. I think you have to remember, however, that in that area—and I have packed across there—as Senator Peterson and probably several others have—it would cost you a million dollars to move in the equipment on a job and move the first rocks to set your camp. Unless there are considerable other matching funds to go with it, a million dollars is not going to go very far, and this is the reason for my question. I have not talked to the highway commission lately, so I do not know what their plans are."

Senator Peterson (Lowell): "Senator Huntley, I have conferred with the director as late as yesterday on this matter and they are very anxious to proceed on the timetable that Governor Evans has indicated he fully supports. I am sure that as I said, it is certainly nonpartisan. The Governor has supported this program from the day he first ran for office and I think he is just as anxious to see it completed as I am."

The motion carried and the amendment was adopted.

The motion by Senator Peterson (Lowell) carried and the resolution as amended was adopted.

SECOND READING

SENATE BILL NO. 9, by Senators Greive, Stortini and Odegaard:

Providing workmen's compensation for permanent partial disability.

The Senate resumed consideration of Senate Bill No. 9 on second reading.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 9 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Peterson (Ted): "I talked to you one time about it. I do not know whether you handle these type cases but on the average on the specified case, I know that with the loss of an arm you say they pay so much. I wondered if you had an average as to how much more of an increase there is, for instance if you are called in to handle a specific injury such as a back and it is undetermined just what is wrong. It takes a lot of medical care and so on to determine what it is. How much more does this add to this fund when an attorney has to represent them? You say he might get fifteen percent less than what he should get on an arm but how much more does this raise the cost of this to have you present it and say that you go before a jury? How does this work out in the final analysis for the individual who has been injured? Does he get the maximum, or does this fee that an attorney or barrister would get cut away from what he should have? Is that set?"

Senator Greive: "Senator, I think you have asked several questions and I will try to answer each of them in turn. The department of labor and industries estimates that the increased costs for this particular measure will be \$1.75 million if it goes through.

"The next question is getting down to the individual case. Normally these cases come to the attorney when one of two things happens, either the case is rejected entirely or the people get so little that they are dissatisfied. Then when the lawyer takes the case, he takes thirty percent of everything over and above what the workman has already received. In personal injury accidents, which I am sure all of the lawyers here have handled at one time or another, we take usually a third. If we lose, we get nothing. I think that is very defensible incidentally, and that is another whole question.

"Workmen's compensation is not a very lucrative part of a practice and the reason why it is not a lucrative part of the practice is that you only get thirty-three and a third percent

of the excess. In other words, if a man gets twenty percent and you get him twenty-five percent, you get a third of that. On the other hand if they rejected him entirely, then you make some money because you might be able to get him sixty or seventy percent and you might make five or six hundred, a thousand, fifteen hundred because he has been rejected. In a pension case you get a certain percentage, fifteen percent of the pension reserve. Now this is not set by statute.

"The department is in a position where if application is made . . . and in all of the orders, they print out right on the order that application can be made to the board so that these fees can be set if they so desire but with most clients you have a contract or you start for thirty percent. I do not know of anybody that has anything higher than that, and I think that is general in the business. There are very few of us in it. In King County there are not more than twenty of us that do this type of work. I do not do it exclusively, so I do not have as big a practice as some. Nearly all of them are referred from other lawyers. The only way you come out on workmen's compensation as long as we are discussing lawyers is that you have a bargain, and you do not have to study. In other words you understand the medicine well enough, not the law because that is the easy part, that you almost mill them through because you have a big percentage to lose or you get very little on. You have to make up for them on the occasional fee that goes high. For that reason it is not very lucrative from the lawyer's point of view.

"Now let us look at it from the point of view of the person hurt. He gets everything he was going to get and puts that in the bank. If he wins something, he gives thirty percent to the lawyer. If he does not get it, he does not pay. From his point of view, it is a very happy situation. There may be objections to that for other reasons. I can give you arguments why that should not be done quite that way maybe, but that is the way that it is done."

Senator Peterson (Ted): "Let us pursue that just a little further. I had heard from one department of city and county government that there are so many cases of back injury, and it is back injury that seems to be affecting so many people today. They say that so many of these people that are moonlighting on the side, say a fireman or policeman that has been working on other jobs, out of maybe two hundred thirty cases only two of them happened on the job itself. Still, because they were moonlighting and the thing happened on the other job, they came in for this type of compensation. Do you know anything about that?"

Senator Greive: "I think that is an excellent point. It is one that is almost insoluble. Let us sit back a minute and look at the whole problem. Let us take a fireman because he will have two jobs, he will work for the city and for somebody else. It will be a legitimate job, and he will be covered by workmen's compensation. Nobody has any objection to that if it is his time, if he is working the two jobs, and if he has a legitimate coverage. I do not think anybody has any quarrel with that, industry or anyone else because if he is working for you, you cover him and it is in an extra-hazardous industry. You are talking about a problem that bugs everybody from labor through industry. If the person that has a moonlighting job now, gets hurt, and runs to say he did it on the job, that is fraud, just unadulterated fraud. He is subject to criminal prosecution if they can prove it. They very rarely prosecute them for that, but they certainly do reject the claim. A number of claims are rejected for just that reason. You know whether the person is in high office or low office or whoever he is, he can always lie, and he can always cheat. That is just plain cheating, and I do think it is a problem and a bad problem. I do not know how we can lick it with any kind of a law because they have all the authority they need now to do something about it. They can prosecute him criminally, which I admit they very rarely do; but they certainly reject the claims routinely when they have any reason to believe it is true. They send out investigators to investigate it, so forth and so on."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 9, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

SENATE BILL NO. 9, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:

Providing for increase of benefits under workmen's compensation.
The Senate resumed consideration of Senate Bill No. 10 on second reading.

POINTS OF INQUIRY

Senator Mardesich: "I wonder if I might direct a question to anyone on the floor, Senator Greive, Senator Atwood, or whoever might have done some of the negotiation on this bill as to whether it would affect the passage of this bill if new section seven on page ten were to be deleted. I asked some questions about this section the other day and I am, in my own mind yet, uncertain that it does what should be done in workmen's compensation. It seems somewhat contrary to the philosophy of workmen's compensation. I am not sure of that. I have that feeling, and I wonder if anyone could answer whether it would hinder the passage of this measure were this section to be deleted."

Senator Greive: "I am unable to answer that. I am prepared to vote for it with or without the section, speaking only for one senator, and I have no way of knowing how other people feel."

Senator Atwood: "I cannot answer your question. I do not know what the effect of that is and I do not think anybody on the floor does in terms of dollars and what it means to the small independent, laws on people like that. I suspect if I read it correctly it will have a tremendous impact on them and probably make the rates prohibitive. We have not had time to query the department on the financial or fiscal effect on the small operators, so I really could not answer you, Senator. You asked me about that this morning, and I gave you the same answer."

Senator Greive: "I think I will make a stab at explaining what it does. As I said before though, I will vote for it with or without section seven. Basically as I understand it now, we do have a system where experience rating is in effect. It goes per classification. In other words each classification is held within its own narrow bounds. It is my understanding that this would give the department of labor and industries the chance to hold hearings and to arrange a little different type of payment, and I think they will broaden the base. I cannot be sure they will because obviously if you read new section seven it gives them the power to classify the industries by occupation and the degree of hazard so as to establish the rates necessary to keep the accident and medical fund solvent. In other words it is their plea, and I think it was former director, now Judge Petrie, who felt that we were the only state in the United States who does not do it this way including those states that insure themselves. He felt that it would be fairer, and he felt they are better able to shift the burden."

"As I understand it, there are two or three classifications now that are bankrupt. When a classification goes bankrupt, that means they have another override in which they draw from the whole fund; so at least the workman gets his money."

"Internally it presents some problems, and he felt that this was a fairer type of provision. It is also my understanding that it is an actuarially sound and intelligent way to go, but the part of the bill in which I am particularly interested is not affected one way or another. In other words I am not going to argue for or against it. I am prepared to vote for it. If somebody cuts it off, it will make it more palatable as far as I am concerned rather than less palatable."

"I wonder if as responsible legislators if something is proposed by the department and this section was a departmental request last session, and it is not opposed by labor, is it not wiser just to leave it in simply because it is probably good administration. Fear not, I do not think we have any problem with the bill passing if we knock the section off. Maybe some of you in your local areas because of some local industry, say canning or logging, feel that it would be harmful to have it."

Debate ensued.

MOTION

On motion of Senator Mardesich, Senate Bill No. 10 was ordered to hold its place on the second reading calendar for Thursday, January 22, 1970.

PARLIAMENTARY INQUIRY

Senator Greive: "Mr. President, I want to clarify one point simply because it will be coming up again and again. We have a twenty-four hour resolution. This is the first time this has come up; and I am very much for the bill, so I am not in a position to do any different than I was before. I just want to get the record clear. Does this mean now that we have rules as we did yesterday and if we wait now that this satisfies the twenty-four hour problem, or are we going to count hours because probably it has only been twenty-three hours? We will have to go to lunch and come back, and I want a ruling from the Chair as to how we are going to handle this because otherwise we are going to have some bill which is highly controversial. It is not going to be something which everybody is going to vote for, which I

presume we will on this one and we are going to find ourselves in a big hassle. I would like to have the Chair clarify that so we will know what we are doing because we could go to lunch now and come back to satisfy the twenty-four hours."

REPLY BY THE PRESIDENT

The President: "Senator Greive, the President in answer to your query wishes to remind the members that the rule does not state twenty-four hours. It says one day and the President believes that 'day' can be interpreted reasonably. The President is sure that the very responsible members of the Senate Committee on Rules and Joint Rules could determine the answer to the question as they did yesterday."

SENATE BILL NO. 4, by Senators Durkan, Knoblauch, McCormack, Talley, Dore, Stortini and Keefe:

Authorizing compensation for veterans of the Viet Nam conflict.

The bill was read the second time by sections.

Senator Durkan moved adoption of the following amendment:

On page 2, section 2, line 5 after "by" and before "presidential" insert "duly adopted concurrent resolution of the state legislature, or by"

POINT OF INQUIRY

Senator Stender: "Senator, on your amendment do I understand that there will be two bases of terminating, either the President or the . . ."

Senator Durkan: "The way the bill was drafted it could be that the state would not have control. In other words the legislature by enacting the legislation, we then would delegate the authority as to when the conflict ended to the President and/or Congress. Some of us felt that since the bill originates in the state of Washington that the legislature should or could be able to by resolution determine when the conflict has ended."

Senator Stender: "The reason I asked that question, Senator, is that with the language in there now as I read it, that the Presidential proclamation or the Congress to terminate the conflict with the United States, that would be the ending or stopping point of the coverage that we are giving the veterans of that conflict. If you put this other in then if the legislature is not meeting, it would be impossible to pass the resolution."

Senator Durkan: "No, by a practical matter the President could, say that the Viet Nam conflict has ended and this is the date that we could accept as the cutoff date for the application of the bonus, but at the same time some of us felt that, we in the state of Washington, should have also the control over, by resolution, as to determine when the bonus applications end."

The motion carried and the amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 4 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Canfield: "Senator Durkan, I know what you have said is true because you tripped over me when I was running to get in that same line, and you got in there a little bit ahead of me. I want to ask you a question. My question, Senator Durkan, is this, in view of the current financial status of the state of Washington and in view of the attempts of the administration to raise some forty or fifty million dollars in emergency money right now, do you think this bill could wait until January of 1971?"

Senator Durkan: "Mr. President, actually there are not any payments available under this form until January 2, 1972."

Senator Canfield: "Yes, I understand that, Senator; but the commitment is there."

Senator Durkan: "That is right and the reason is I think it is a good compromise. We are not asking the state now at a time when we all recognize that we are in a financial dilemma to use existing funds. What we are saying is that it is a commitment that we also have to some eighty thousand Viet Nam veterans in this state and that we are saying by 1972 hopefully we will be out of the financial dilemma and able to do something about it."

Debate ensued.

Senators Greive, McCutcheon and Andersen demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; absent or not voting, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Marquardt, Matson, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson, Woodall—34.

Voting nay: Senators Andersen, Atwood, Canfield, Elicker, Faulk, Holman, Lewis (Brian), Lewis (Harry), McDougall, Newschwander, Pritchard, Ryder, Twigg, Williams—14.

Absent or not voting: Senator Metcalf—1.

ENGROSSED SENATE BILL NO. 4, having received the 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

At 12:30 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SECOND READING

SENATE BILL NO. 15, by Senator Walgren:

Shortening from one year to six months residency requirement to file divorce complaint.

The bill was read the second time by sections.

MOTIONS

On motion of Senator Gissberg, Senators Greive and Peterson (Lowell) were excused.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 15 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 15, and the bill passed the Senate by the following vote: Yeas, 36; nays, 4; absent or not voting, 7; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McDougall, Marquardt, Odegaard, Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—36.

Voting nay: Senators Lewis (Brian), Mardesich, Metcalf, Ridder—4.

Absent or not voting: Senators Durkan, McCormack, McCutcheon, Matson, Newschwander, Sandison, Talley—7.

Excused: Senators Greive, Peterson (Lowell)—2.

SENATE BILL NO. 15, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Andersen, Senator Stender was excused.

SENATE BILL NO. 66, by Senators Holman, Gissberg and Williams (by Judicial Council request):

Regulating fees for transcripts.

The bill was read the second time by sections.

On motion of Senator Holman, the rules were suspended, Senate Bill No. 66 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 66, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 3; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-42.

Voting nay: Senator Andersen-1.

Absent or not voting: Senators Durkan, McCormack, Pritchard-3.

Excused: Senators Greive, Peterson (Lowell), Stender-3.

SENATE BILL NO. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 67, by Senators Holman, Francis and Andersen (by Judicial Council request):

Providing for the election of the court of appeals judge by position number.

REPORT OF STANDING COMMITTEE

January 20, 1970.

SENATE BILL NO. 67, providing for the election of the court of appeals judge by position number (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On line 18 add a new section as follows:

"NEW SECTION. Sec. 2. Section 8, chapter 221, Laws of 1969, 1st ex. sess. and RCW 2.06.080 are each amended to read as follows:

If a vacancy occurs in the office of a judge of the court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election and the judge so elected shall hold the office for the remainder of the unexpired term [.] : *PROVIDED, in the event of the illness of a judge or vacancy within a division of the court of appeals, a majority of the judges of that division is empowered to authorize judges or retired judges of courts of record of this state to perform judicial duties in that division of the court of appeals until the ailing member of the division is able to return to his duties or the vacancy is filled by appointment of the governor.*"

Strike all of the title and substitute the following:

An Act relating to the court of appeals; and amending section 29.21.110, chapter 9, Laws of 1965 and RCW 29.21.110; and amending section 8 of chapter 221, Laws of 1969 1st ex. sess. and RCW 2.06.080.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Holman, Ridder, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were not adopted.

On motion of Senator Holman, the rules were suspended, Senate Bill No. 67 was

advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 67, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Durkan, McCormack, McCutcheon—3.

Excused: Senators Peterson (Lowell), Stender—2.

SENATE BILL NO. 67, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Greive, Senator Keefe was added to Senate Bill No. 25 and Senate Bill No. 26 as prime sponsor.

At 2:00 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, January 22, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

ELEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 22, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen and Pritchard. On motion of Senator Atwood, Senator Andersen was excused.

The Color Guard, consisting of Pages Elmer Dones, Color Bearer, and Darla Knowles presented the Colors. Reverend Dennis Wood, associate pastor of St. Michael's Church of Olympia, offered prayer as follows:

"O God, You have fulfilled our founding fathers' faith in Your Divine Providence by making and keeping us a land rich in the abundance of Your Creation. Freedom, justice and universal brotherhood are our precious heritage but for countless men, both in our midst and all over the world, they remain but a dream. May we share this heritage with the living and transmit it to a people still unborn. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

Senators Greive, Stender and McCutcheon demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the Senate proceeded subject to roll call.

MOTION

On motion of Senator Greive, the rules were suspended Senate Joint Resolution No. 4 was placed at the beginning of the second reading calendar for today.

SECOND READING

SENATE JOINT RESOLUTION NO. 4, by Senators McCutcheon, Stender, Donohue, Durkan, Day, Talley, Twigg and Knoblauch:

Providing for an assessed valuation of twenty-five percent of the true and fair value of property.

REPORT OF STANDING COMMITTEE

January 20, 1970.

SENATE JOINT RESOLUTION NO. 4, providing for an assessed valuation of twenty-five percent of the true and fair value of property (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 32 after "resort." and before "AND" on line 33 insert

"*BE IT FURTHER RESOLVED, That the foregoing constitutional amendment shall be null and void and of no further force and effect if the amendment proposed to this section by 1969 House Joint Resolution No. 42 is approved and ratified at the general election at which this proposed amendment is submitted to the electorate.*"

Signed by: Senators McCutcheon, Chairman; Canfield, Cooney, Donohue, Greive, Keefe, Metcalf, Stender, Woodall.

The resolution was read the second time in full.

On motion of Senator Stender, the committee amendment was adopted.

Senator Metcalf moved adoption of the following amendment:

On page 1, line 13, after "exceed" strike all the matter down through and including "twenty-five" on line 14 and insert "[forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty] one"

Debate ensued.

POINT OF INQUIRY

Senator McCutcheon: "What are you amending now?"

Senator Metcalf: "Senator McCutcheon, we are amending line thirteen on SJR No. 4 so that it will say 'The real estate tax shall not in any year exceed one percent of the true and fair value of such property.'"

Senator McCutcheon: "Is that all?"

Senator Metcalf: "That is precisely what my amendment does, bring it into line with the tax reform amendment which will be on the ballot."

MOTIONS

On motion of Senator Woodall, Engrossed Senate Joint Resolution No. 4 was ordered placed at the beginning of the second reading calendar for Friday, January 23, 1970.

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

There being no objection, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

January 21, 1970.

SENATE BILL NO. 2, expediting environmental pollution cases in the courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Francis, Holman, McCormack, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 20, 1970.

SENATE BILL NO. 28, adjusting hunting and fishing license fees to present cost factors (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: That Substitute Senate Bill No. 28 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Metcalf, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 82, changing the number of jurors required for a civil verdict from 10 to 9 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Foley, Francis, Holman, McCormack, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 141, creating crimes and penalties for illegal use of credit cards (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Holman, McCormack, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

PERSONAL PRIVILEGE

Senator Washington: "Mr. President, and gentlemen of the Senate this may not be exactly the proper place to bring this up, but I think a warning to the gasoline companies which, according to the press, are intending to have a one and one-half cent increase in the gasoline price as an experiment in the states of Oregon and Washington by the Standard Oil Company, Texaco and Mobil. They make the announcement at a time apparently when there is a possible threat of the one and one-half cent increase in the gasoline tax at the same time the gasoline dealers themselves indicate that the profits of the gasoline companies at the present time are the highest that they have ever been. This seems to be in concert by these three companies and I think the newspaper account also indicates they are doing it as a test.

"I felt that at the very first opportunity, as chairman of the Senate Highways Committee, I would indicate that the test certainly does not ring a favorable bell with those of us who are charged with raising highway funds by the gasoline tax. I have not been consulted by anyone as far as an increase in the gasoline tax is concerned. I predict it will not pass this session.

"I do not believe the gasoline companies should attempt to use this method as a blackmail, which it appears to me to be, or in the alternative, a combine between the companies to raise the gasoline tax price. I would hope that we could all express our opposition to it and certainly the Senate Highways Committee will immediately start a movement to check into this particular practice."

MESSAGE FROM THE HOUSE

January 21, 1970.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 55,
 ENGROSSED HOUSE JOINT RESOLUTION NO. 6,
 and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

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

Making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age.

Referred to Judiciary Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, by Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by executive and Secretary of State request):

Proposing constitutional amendment to lower voting age to eighteen years.

Referred to Committee on Constitution, Elections, and Legislative Processes.

SECOND READING

SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:

Providing for increase of benefits under workmen's compensation.

MOTION

On motion of Senator Greive, Senate Bill No. 10 was ordered to hold its place on the second reading calendar for Friday, January 23, 1970.

SENATE BILL NO. 70, by Senators Stender, Henry and Cooney:

Entitling classified or noncertificated employees of school districts to accumulated sick leave upon termination of employment.

MOTIONS

On motion of Senator Henry, Senate Bill No. 70 was referred to the Committee on Ways and Means—Appropriations.

At 11:40 a.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, January 23, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 23, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the Call of the Chair. The President called the Senate to order at 11:15 a.m. The Secretary called the roll and announced that all Senators were present.

The Color Guard, consisting of Pages Steve Burdick, Color Bearer, and Ruth Schoder presented the Colors. Reverend Dennis Wood, associate pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Lord, teach us how to listen carefully and patiently to other people, teach us how to say what we have to say clearly, simply and openly. Teach us what responsibility toward you and others really means. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 19, 1970.

SENATE BILL NO. 1, creating a department of pollution control (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Connor, Elicker, Greive, Keefe, McCutcheon, McDougall, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

January 21, 1970.

SENATE BILL NO. 11, establishing payment schedules for industrial insurance (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Herr, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

January 19, 1970.

SENATE BILL NO. 24, authorizing legislative participation on the Puget Sound Governmental Conference (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, Francis, McDougall, Peterson (Ted), Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 27, relating to the age of majority (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Foley, Francis, Holman, McCormack, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 21, 1970.

SENATE BILL NO. 45, relating to salaries of public officials (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 61, authorizing counties to acquire and develop open space and health facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Canfield, Elicker, Faulk, Francis, McDougall, Peterson (Ted), Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 81, increasing fees of county clerks (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, McDougall, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Stortini, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 86, providing post-retirement adjustments in retirement allowances for public employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Connor, Durkan, Faulk, Matson, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 103, authorizing disability insurance payments for chiropractic services (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Cooney, Greive, Keefe, McCutcheon, Peterson (Lowell), Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 21, 1970.

SENATE BILL NO. 129, providing for per diem for state officers and employees (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 130, allowing deposit of certain materials removed for harbor and channel improvement on private land (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Odegaard, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 145, providing post-retirement benefit increases for fire fighters and police officers (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Connor, Faulk, Matson, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 223, conserving the public lands of this state (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Matson, Odegaard, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 224, providing for forest protection (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Odegaard, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 243, increasing fees for certified copies of vital statistics records (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Cooney, Greive, Keefe, McCutcheon, Peterson (Lowell), Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE JOINT MEMORIAL NO. 4, requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Odegaard, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE JOINT MEMORIAL NO. 8, urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Greive, Keefe, McCutcheon, Peterson (Lowell), Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

MESSAGE FROM THE HOUSE

January 22, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 47, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 47, by Representatives Flanagan, Williams, Richardson, Amen, Bledsoe, Bluechel, Brown, Chapin, Clarke (George W.), Conway,

Cunningham, Curtis, Evans, Farr, Harris, Hawley, Hoggins, Hubbard, Julin, Kirk, Kopet, Leckenby, Mahaffey, Marsh, McCaffree, Mentor, Murray, North, O'Dell, Pardini, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Ceccarelli and Copeland (by executive request):

Providing for a department of environmental quality.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

MOTION

On motion of Senator Atwood, Senator Ryder was excused.

SECOND READING

ENGROSSED SENATE JOINT RESOLUTION NO. 4, by Senators McCutcheon, Stender, Donohue, Durkan, Day, Talley, Twigg and Knoblauch:

Providing for an assessed valuation of twenty-five percent of the true and fair value of property.

The Senate resumed consideration of Engrossed Senate Joint Resolution No. 4 and the following pending amendment by Senator Metcalf:

On page 1, line 13, after "exceed" strike all the matter down through and including "twenty-five" on line 14 and insert "[forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty] one"

Senators Greive, Stender and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Ryder who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

Senator McCutcheon moved that the amendment by Senator Metcalf be laid upon the table.

Debate ensued.

Senator Holman demanded a roll call and the demand was sustained by Senators Greive, Donohue, Metcalf, Lewis (Brian), Marquardt, Elicker, Atwood, Odegaard, Peterson (Lowell) and Washington.

ROLL CALL

The Secretary called the roll and the amendment by Senator Metcalf was laid upon the table by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Gissberg, Greive, Guess, Henry, Herr, Keefe, Knoblauch, McCutcheon, Matson, Odegaard, Peterson (Lowell), Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—29.

Voting nay: Senators Andersen, Atwood, Elicker, Faulk, Francis, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Williams—19.

Excused: Senator Ryder—1.

Senator Holman moved adoption of the following amendment:

On page 1, line 25, after "majority of" and before "the electors" strike "at least three-fifths of."

Debate ensued.

POINTS OF INQUIRY

Senator Peterson (Lowell): "Senator Williams, you say that if this tax reform fails we are going to have to make it easier to proceed with the special levy system of financing. It

has been indicated to me that the Governor's program will not take care of special levies, and we keep hearing that until tax reform is passed we are going to have to rely on special levies. Would you indicate to this body that the tax reform program will take care of special levies?"

Senator Williams: "I think it is going to take care of most special levies. Now there are some districts that for one reason or another want to have a higher level of education than the overall. They may have special levies for certain plus or extra programs. I think there is no question but tax reform gives us a tool to eliminate special levies. There is a special commission that has been working on that and had some bills in the legislature this session. Those members of that commission could probably answer your question better. I think with the bills that are being prepared and in it will provide a means of eliminating all or substantially all special levies except in those cases where for individual reasons in a particular district they want to have something extra."

Debate ensued.

Senator Dore: "For those of us who are somewhere between a world reknown lawyer and a curbstone lawyer, I would like to see if I follow your argument. You say that you are absolutely convinced under the compelling Supreme Court cases that apply here you will win your lawsuit; but you said a disturbing thing occurred in the court when Judge Finley raised the possibility that in sustaining your position he would also knock out Amendment XVII, which is the forty mill limitation on page one hundred twenty-seven of your book there. My question to you if you are concerned about the failure of special levies, is it your position it is desirable to knock out the forty mill limitation? If so, wouldn't it be better to withdraw this amendment and permit Judge Finley and the others to not only rule successfully on your position but also knock the entire Amendment XVII out? Is that what you are trying to accomplish?"

Senator Holman: "Mr. President, Senator Dore, no, I am not. I believe that the objective of the forty mill limit is good. In that respect I lose quite a few friends. I feel that it is a good idea to have in our Constitution a ceiling on property taxes. I think the philosophy of the forty mill people at the time which was supported overwhelmingly by the voters of the state was that way; but what I am saying is and what I think the Supreme Court of the United States in the final analysis is going to say is that you can do anything you want, state X or state of Washington, to cast restrictions around methods of lifting the forty mill limit. You can do anything you want except in one respect, you cannot touch a person's vote, dilute it in any way, or debase it in any way. That is why, for example, there are other requirements in here to pass a special levy. As we all know, it cannot be done for more than a year at a time. It also says the levy must be voted within the twelve-month period immediately preceding. I am sure that is constitutional, but what they have said very carefully in many cases now, and more and more are coming up from all these other states, is that you just cannot do anything about a man's right to vote, nothing, no matter whether you have a good reason or you have not. To answer you question again, no, I would hope that we would keep a constitutional ceiling on property taxes."

Further debate ensued.

Senator Talley moved that the amendment by Senator Holman be laid upon the table.

Senator Holman demanded a roll call and the demand was sustained by Senators Washington, Lewis (Brian), Cooney, Greive, Bailey, Peterson (Lowell), Pritchard, Dore, Twigg and Matson.

ROLL CALL

The Secretary called the roll and the amendment by Senator Holman was laid upon the table by the following vote: Yeas, 31; nays, 18.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, Lewis (Harry), McCutcheon, Matson, Metcalf, Newschwander, Peterson (Lowell), Sandison, Stender, Stortini, Talley, Twigg, Washington, Wilson, Woodall—31.

Voting nay: Senators Andersen, Atwood, Elicker, Foley, Francis, Holman, Lewis (Brian), McCormack, McDougall, Mardesich, Marquardt, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Walgren, Williams—18.

MOTIONS

On motion of Senator Holman, there being no objections, the remaining three amendments by Senator Holman on the Secretary's desk were withdrawn.

Senator Williams moved adoption of the following amendments by Senators Williams and Atwood:

On page 1, line 27 after "more than" strike "twelve" and insert "twenty-four" and after "date" strike "on which" and insert "for making" and after "levy" insert "or levies"

On page 2, line 1 before "and not" strike "is to be made" and on line 2 after "of" strike "such" and insert "any" and on line 6 after "election" insert the following proviso:

: *PROVIDED, HOWEVER, That no taxing district shall submit to the electors thereof a proposition to authorize the levy of additional tax upon the authority of this subsection (a) to be made in any year for which the electors previously have authorized the levy of additional tax under the authority of this subsection (a) unless the proposed authorization is submitted to the electors by a proposition to substitute for the prior authorization under this subsection (a) a new authorization the amount of which will be adequate to fulfill all contractual obligations of the taxing district incurred by reason of the prior authorization, and unless the substitute proposition shall be its terms supersede the prior authorization and then be in lieu of any additional tax authorized by but not yet levied upon the authority of the superseded authorization;*

Debate ensued.

POINT OF INQUIRY

Senator McCormack: "Senator Williams, as I understand it, this is just a provision for special levies for two years for operation and maintenance?"

Senator Williams: "That is right."

Senator McCormack: "Is this exactly the same wording that we used when we considered this same measure last session of the legislature?"

Senator Williams: "Yes, the last session or the session before."

Senator McCormack: "It is the identical wording?"

Senator Williams: "Identical wording or language, yes."

Further debate ensued.

MOTIONS

On motion of Senator Talley, the amendments by Senators Williams and Atwood were laid upon the table.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Atwood, Senator McDougall was excused.

Senators McCutcheon, Talley and Metcalf demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator McDougall who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

There being no objection, the Senate returned to the third order of business.

LETTER OF INFORMATION

WASHINGTON STATE PATROL
HEADQUARTERS—OLYMPIA

January 22, 1970.

HONORABLE JOHN A. CHERBERG,
LIEUTENANT GOVERNOR OF THE STATE OF WASHINGTON,
LEGISLATIVE BUILDING,
OLYMPIA, WASHINGTON 98501

DEAR GOVERNOR CHERBERG:

During the past two legislative sessions, money was appropriated to construct a new State Patrol Academy. This Academy is nearly completed and is already in operation.

You are cordially invited to visit and tour these facilities, and dine in the new dining hall on January 29, 1970. Transportation has been arranged, and the bus will be available for loading at 4:30 p.m. on the north side of the Insurance Building, near the Memorial Statue.

Because of your interest and the present questions arising regarding a police academy for other agencies, we feel the tour may be helpful to you.

Sincerely,
WILL BACHOFNER, Chief.

The Senate resumed consideration of Engrossed Senate Joint Resolution No. 4 on second reading.

On motion of Senator McCutcheon, the rules were suspended, Engrossed Senate Joint Resolution No. 4 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

Senators Peterson (Lowell), Connor and Bailey demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 4 and the resolution failed to pass the Senate by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), McCutcheon, Matson, Newschwander, Odegaard, Peterson (Lowell), Sandison, Stender, Stortini, Talley, Twigg, Walgren, Wilson—28.

Voting nay: Senators Andersen, Atwood, Bailey, Elicker, Faulk, Foley, Francis, Holman, Lewis (Harry), McCormack, Mardesich, Marquardt, Metcalf, Peterson (Ted), Pritchard, Ridder, Ryder, Washington, Williams, Woodall—20.

Excused: Senator McDougall—1.

ENGROSSED SENATE JOINT RESOLUTION NO. 4, having failed to receive the constitutional two-thirds majority, was declared lost.

MOTION

On motion of Senator Atwood, the Senate dispensed with the Call of the Senate.

PROTEST

I, hereby protest the vote on Senate Joint Resolution No. 4 due to the improper action of Senator McCutcheon, Committee Chairman. He has used his power as Committee Chairman to override the will of the majority of members present. On one occasion last session, he refused to allow a fellow senator to offer an amendment. On another occasion,

when the majority of members present moved a measure out with a "do pass" vote, the Chairman immediately notified the members that he would also put out his pet measure, which was in direct conflict.

When Senate Joint Resolution No. 4 was before Senator McCutcheon's committee, my amendment was offered and carried. Though the result was never formally announced, a motion to reconsider was accepted. The vote to reconsider was taken, several counts were made, the nays were never called, and the decision never announced, yet my amendment was later found removed. The chairman chose to ignore rules of parliamentary procedure and senatorial courtesy and ramrod his own ideas through as committee action. This circumventing of the committee system is destructive of the concepts of self-government to which we all are dedicated, and we must criticize it, regardless who is guilty of the violation.

Signed by: Senator Jack Metcalf.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Woodall served notice that he would, on the next working day, move that the Senate reconsider the vote by which Engrossed Senate Joint Resolution No. 4 failed to pass the Senate.

REPLY BY THE PRESIDENT

The President: "Notice of reconsideration by which Engrossed Senate Joint Resolution No. 4 failed to pass the Senate has been received from Senator Woodall."

MOTION FOR RECONSIDERATION

Senator McCormack moved for immediate reconsideration by which Engrossed Senate Joint Resolution No. 4 failed the pass the Senate.

POINT OF ORDER

Senator Woodall: "It takes a suspension of the rules at this stage of the proceedings, does it not, Mr. President?"

RULING BY THE PRESIDENT

The President: "Senator McCormack, the President respectfully refers you to Senate Rule 31. The point as made by Senator Woodall is well taken."

POINT OF ORDER

Senator McCormack: "Does the motion to serve notice to reconsider on the next working day have precedence over a motion to reconsider immediately?"

RULING BY THE PRESIDENT

The President: "The President believes that part of Senator Woodall's motion which applied to making it a special order of business for the next working day was superfluous in the face of what is stated in Rule 31 of the Senate Rules. Senate Rule 31: 'After the final vote on any resolution or bill before the adjournment of that day's session, at such time only any member who voted with prevailing side may give notice of reconsideration. Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given and may be made by any member who voted with the prevailing side.' The record before the President, the senate roll call on final passage of Engrossed Senate Joint Resolution No. 4, indicates that Senator Woodall voted upon the prevailing side and following the announcement of the vote gave notice of reconsideration which has been entertained by the President."

PARLIAMENTARY INQUIRY

Senator Lewis (Harry): "Mr. President, have you made your decision on this ruling as yet? If you have not, I would respectfully suggest that you also read to the body the last sentence of Rule 31 which I believe is applicable and I believe customary in the Senate that in the past we have respectfully been granted the right for immediate consideration."

REPLY BY THE PRESIDENT

The President: "The President in reading the last sentence referred to by Senator Lewis finds the sentence to read 'Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.' The President believes that he has been consistent in that ruling at all times."

Senator Greive: "I would like to point out to Senator Lewis that he is very much in error. The only thing that this applies to, of course, is to amendments and amendments may be considered at once because it could be if you had an amendment to something you would have to reconsider it now because we could not reconsider it after a final vote was taken. This is the ruling that is consistently made under Rule 31."

PARLIAMENTARY INQUIRY

Senator McCormack: "For clarification, do I understand that the only time a motion to reconsider then is under the first order of business on the following day?"

RULING BY THE PRESIDENT

The President: "By a majority vote, Senator, upon the proper order of business tomorrow, the Senate in its wisdom may decide to consider it at any time but according to the rules which dictate the President's decision, the President must rule that the point as raised by Senator Woodall is well taken. It would require a suspension of the rules to consider the reconsideration at this time."

PARLIAMENTARY INQUIRY

Senator McCormack: "Mr. President, I did not mean to suggest that. I just wanted to clarify it. The point is then that the motion may be made under the first order of business on the following day?"

RULING BY THE PRESIDENT

The President: "The President believes the motion, if the Senate so desires, could be considered at any time on the next working day."

SECOND READING

SENATE BILL NO. 28, by Senator Dore:

Adjusting hunting and fishing license fees to present cost factors.

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 28 was substituted for Senate Bill No. 28 and the substitute bill was placed on second reading and read the second time in full.

Senator Bailey moved adoption of the following amendment by Senators Bailey and Talley:

On page 5, section 1, line 10, after "imprisonment," add a new paragraph as follows:
"The state game commission shall not have either sex elk or deer seasons in counties west of the Cascade range without approval of the board of county commissioners in the county involved."

POINT OF INQUIRY

Senator Bailey: "Senator Peterson, did Mr. Biggs of the Game Department come to your committee and assure you that he would consult with local authorities in local counties involved before he would put either sex elk or deer seasons on the public in those areas?"

Senator Peterson (Lowell): "Not per se, Senator Bailey, but he did indicate it. In fact, I put the personal question to Mr. Biggs as to what program of management they were going to use in view of the severe winter kills that we have recently experienced and what program they intended to follow. It was very clearly stated that they intend to keep curtailing either sex seasons for at least the next three or four years in order to build these herds back up, and this was his definite testimony."

Senator Bailey: "With that in the record and knowing Johnnie Biggs—and you can usually trust him when you get it in the record—I would like to withdraw my amendment; I have made my point."

There being no objection, Senator Bailey withdrew the amendment by Senators Bailey and Talley.

On motion of Senator Peterson (Lowell), the rules were suspended, Substitute Senate Bill No. 28 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Canfield: "Will Senator Peterson (Lowell) yield to a question? Senator, I don't care particularly to brag about the game department, although I personally think they have done a good job but I don't think it is our position here to speak too much along that line. The question I have for you is one which I have discussed with Mr. Biggs and some of his people, and that is to this point, I am advised that thirty percent of the fishermen don't hold a license. In other words, thirty percent are freeloaders. And now I wonder if the committee has considered any remedy to that so that the department can more adequately carry the burden. I talked to one of the deputies and I asked him why they did not do it, and he did just like politicians do; he shrugged and smiled and squirmed. I said, 'The truth of the matter is you are chicken.' He said, 'Yes, that is the bald truth.' Well, I would like to see some of these loopholes plugged. I think we have a good fishing program; I participate in it, I enjoy it, I think the department is doing well, but I was wondering if we cannot plug some of these loopholes in those who do not pay license fees."

Senator Peterson (Lowell): "Senator Canfield, I am very happy that you raised this question because it gives me an opportunity to further explain the needs for this measure. The game department has not increased their protectors simply due to budgetary limitations, for over ten years, and this is one of the reasons why I am not sure where you got your thirty percent figure. I think we all recognize that in the last ten years we have all experienced a tremendous increase in people that are hunting and fishing in our state, both resident and non-resident. This is one of the areas that certainly need strengthening in this department, and they can't do it under present funding."

Senator Marquardt: "Will Senator Peterson (Lowell) yield to a question? Senator Peterson, if I just buy a basic hunting license what does this entitle me to hunt today?"

Senator Peterson (Lowell): "I think we all have to understand it has been the policy throughout practically the history of the department that you do have additional tag fees like for deer and elk. I think you can hunt rabbits without a tag, and a few other things, but we have always had the tag system which supplements the income in the various categories. I might add, since you brought the question up, the money the department of game takes in under fishing licenses is almost wholly devoted to the propagation of fish, and the money they take in on hunting licenses, by the same token, is devoted to the propagation of game."

Further debate ensued.

Senators Durkan, Sandison and Foley demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 28, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Matson, Metcalf, Neuschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Sandison, Stender, Stortini, Twigg, Washington, Williams, Wilson, Woodall—38.

Voting nay: Senators Atwood, Day, Mardesich, Marquardt, Odegaard, Ridder, Talley, Walgren—8.

Absent or not voting: Senators Greive, Ryder—2.

Excused: Senator McDougall—1.

SUBSTITUTE SENATE BILL NO. 28, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 2:50 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Saturday, January 24, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, January 24, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Day, Durkan, Keefe, Pritchard and Stender. On motion of Senator Atwood, Senators Pritchard and Stender were excused. On motion of Senator Foley, Senator Durkan was excused. On motion of Senator Donohue, Senators Day and Keefe were excused.

The Color Guard consisting of Pages Les Matson, Color Bearer, and Kathryn Lucas presented the Colors. Reverend Dennis Wood, associate pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Inform our minds and enlighten our ignorance so that we may do battle with evil in all those specific social and economic situations which limit another person's opportunities to work, study, vote, live, cultivate freedom and pursue happiness. Amen."

On motion of Senator McCormack, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

SENATE BILL NO. 80, establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 80 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCormack, McCutcheon, Marquardt, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 95, authorizing sound and video recordings in certain police activities (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 120, prohibiting attorney general from practice of law in his private capacity as attorney (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, McCormack, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 121, revising inspection fees relating to boilers and pressure vessels (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Herr, Matson, Metcalf, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 275, relating to unfair business practices (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, McCormack, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 297, establishing the power of the director of the department of institutions to make rules and regulations concerning facilities, equipment and personnel of the department (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Peterson (Lowell), Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE JOINT RESOLUTION NO. 6, deleting prohibition against lotteries (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators McCutcheon, Chairman; Donohue, Francis, Greive, Holman, Keefe, Mardesich, Stender, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENTS

January 24, 1970.

DONALD SULLIVAN, to the position of Member of the Board of Prison Terms and Paroles, appointed by the Governor on June 16, 1969 for the term ending April 15, 1974, succeeding Tim McCullough (reported by Committee on Public Institutions):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Peterson (Lowell), Stortini.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JACK BERRY, to the position of Member of the Board of Prison Terms and Paroles, appointed by the Governor on July 1, 1969 for the term ending April 15, 1972 (reported by Committee on Public Institutions):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Peterson (Lowell), Stortini.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HELEN RATCLIFF, to the position of Member of the Board of Prison Terms and Paroles, appointed by the Governor on July 1, 1969 for the term ending April 15, 1974 (reported by Committee on Public Institutions):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Peterson (Lowell), Stortini.

Passed to Committee on Rules and Joint Rules.

LETTER OF INFORMATION

January 23, 1970.

HONORABLE JOHN CHERBERG
 PRESIDENT OF THE SENATE
 LEGISLATIVE BUILDING
 OLYMPIA, WASHINGTON 98501

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

- SENATE BILL NO. 13: Self incorporation, real estate excise exempt.
- *SENATE BILL NO. 33: Pollution control facilities, tax credits.
- SENATE BILL NO. 34: Property, assessed value change, notice.
- SENATE BILL NO. 35: Equalization boards, assessment procedure.
- SENATE BILL NO. 36: Property assessment ratio studies.
- SENATE BILL NO. 40: Taxing districts, indebtedness limitations.
- SENATE BILL NO. 85: County property tax millage adjustment.
- *SENATE BILL NO. 144: College property, tax exemption.
- *SENATE BILL NO. 216: Senior citizens, property tax exemptions.
- SENATE BILL NO. 234: Wine tax, rate changed.

Sincerely,
 MIKE McCORMACK, Chairman.
 Revenue and Taxation Committee

*with amendments

MESSAGE FROM THE HOUSE

January 23, 1970.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 74,
 HOUSE BILL NO. 142,
 and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

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

Relating to the retirement and pensions of law enforcement officers and fire fighters.
 Referred to Committee on Labor and Social Security.

HOUSE BILL NO. 142, by Representatives Leland, Perry and Berentson:
 Appropriating funds for maintenance and operation of state highways.
 Referred to Committee on Highways.

SECOND READING

SENATE BILL NO. 2, by Senators Durkan and Greive:
 Expediting environmental pollution cases in the courts.

REPORT OF STANDING COMMITTEE

January 21, 1970.

SENATE BILL NO. 2, expediting environmental pollution cases in the courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after the period strike "No" and insert : "[No] Notwithstanding any provision of chapter 34.04 RCW which may be to the contrary, no"

On page 1, beginning with "The" on line 25, strike all of the underlined material down to and including "filing" on line 27, and insert "When a petition for review of any final

order of the commission, in a contested case or on an application for a stay, is filed before a superior court, the court shall initiate a hearing pursuant to RCW 34.04.130 within ninety days after the receipts"

On page 2, line 5, strike all of Sec. 2 and insert the following:

"Sec. 2. Section 36, chapter 238, Laws of 1967, as amended by section 26, chapter 238, Laws of 1969 1st ex. sess., and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, a petition requesting judicial review is filed in accordance with the provisions of chapter 34.04 RCW as now or hereafter amended. When such a petition is filed, the superior court shall initiate a hearing pursuant to RCW 34.04.130 within ninety days after the receipt of the petition requesting judicial review. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. All such appeals shall be heard by the supreme court within six months from the time the appeal is perfected."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Francis, Holman, McCormack, Ridder, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 2 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Williams, Wilson, Woodall-43.

Absent or not voting: Senator Washington-1.

Excused: Senators Day, Durkan, Keefe, Pritchard, Stender-5.

ENGROSSED SENATE BILL NO. 2, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:45 a.m., on motion of Senator Bailey, the Senate recessed until 10:55 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 10:55 a.m.

SECOND READING

SENATE BILL NO. 45, by Senators Gissberg, Walgren and Twigg:
Relating to salaries of public officials.

REPORT OF STANDING COMMITTEE

January 21, 1970.

SENATE BILL NO. 45, relating to salaries of public officials (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 23, after "The" strike "dean of the College of Business Administration" and insert "[dean of the College of Business Administration] *president*".

On page 1, section 2, line 24, after "Washington" strike ";" and insert "[:] or his nominee,".

On page 1, section 2, line 24, after "the" strike "dean of the School of Economics and Business" and insert "[dean of the School of Economics and Business] *president*".

On page 1, section 2, line 25, after "University" strike ";" and insert "[:] or his nominee,".

On page 2, section 2, line 21, after "appellate," and before "superior" strike "and" and insert "[and]".

On page 2, section 2, line 21, after "superior" and before "courts" insert ", and district".

On page 3, section 4, line 13, after "advisable," and before "within" strike "for those offices and positions" and insert "[for those offices and positions] *all state elective officials*".

On page 4, section 5, strike all of subsection (b), and renumber the remaining section consecutively.

On page 4, line 14, add a new section as follows:

"NEW SECTION. Sec. 7. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected."

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Washington.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments to pages 1, 2 and 4 were adopted.

On motion of Senator Atwood, the following amendment to the committee amendment was adopted:

Amend the Committee on State Government amendment to page 3, section 4, line 13, as follows: Insert "*for*" before underlined words on the last line of the amendment.

On motion of Senator Atwood, the committee amendment to page 3, as amended, was adopted.

On motion of Senator Atwood, the following amendment was adopted:

On page 4, section 5, line 6, after ".028 (1)" strike "(a)".

On motion of Senator Guess, the following amendment was adopted:

On page 1, section 2, lines 26 and 27, strike "Industries" and insert "[Industries] *Business*".

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 45 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 45, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 1; excused, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Voting nay: Senators Greive, McCutcheon—2.

Absent or not voting: Senator Williams—1.

Excused: Senators Day, Durkan, Keefe, Pritchard, Stender—5.

ENGROSSED SENATE 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.

PERSONAL PRIVILEGE

Senator Peterson (Lowell): "I just wish to announce to the body that the cigars that

were passed out this morning are from Mr. Biggs in appreciation of the fine vote on Senate Bill No. 28."

REPLY BY THE PRESIDENT

The President: "Thank you very much, Senator Peterson."

PERSONAL PRIVILEGE

Senator Henry: "I would like to interrupt the procedure for just a moment to bring you a road report. We all heard on the floor of the Senate the other day from one of my good friends about the beautiful water level road leading from the town of Klickitat where we have a remote and necessary high school. I want to make a final report on that. The superintendent is over here. It is water level all right, but it happens to be six feet under. The town of Klickitat is cut off at both sides, and they are not able to bring the students into school. There will be no school probably next week either."

SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:

Providing for increase of benefits under workmen's compensation.

The bill was read the second time by sections.

Senator Wilson moved adoption of the following amendment:

On page 11, section 7, line 8, following the period add the following: "The basic rate for any given class shall be the same for all employers, regardless of size, within the class."

Debate ensued.

POINTS OF INQUIRY

Senator Guess: "Senator Wilson, I am a little bit confused by the language. Is it not true that at the present time all industries within the classifications have the same base rate, and then upon their experience they are experience rated with the exception of Class 55? Is the bill going to take away the experience rating that we have experienced before?"

Senator Wilson: "Senator Guess, that is not my understanding of what will happen. The department continues to enjoy the authority under section seven of this bill to break down businesses and industries into any categories it wants to with respect to the nature of the industry, and it continues to provide for industrial insurance compensation based partly on a base rate determined by the nature of the industry and based partly on the individual accident experience of each business."

POINT OF INQUIRY

Senator Woodall: "Senator Wilson, at this time as I understand it—I have made no study of it—certain types of agriculture were placed under the Workmen's Compensation Act pursuant to executive order by the former director, Mr. Harold Petrie. All agriculture is in one blanket classification as I understand it. In other words the strawberry picker, the person who walks along on the ground and picks grapes, for example, is in the same risk category as the person who handles some machine, such as a hop picking machine. Does this amendment of yours do anything toward somehow breaking that down and letting the man who runs a strawberry farm pay a rate comparable to the exposure, or does it do anything to correct that?"

Senator Wilson: "Senator Woodall, my particular amendment would have no bearing with respect to differentiation of rates between various phases of agriculture. That determination would remain up to the judgment of the department. The only effect that this amendment would have in agriculture would be to prevent the department from applying a higher base rate to a small orchardist as compared to a large orchardist, for example."

The motion carried and the amendment was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 10 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 10, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—43.

Voting nay: Senator Guess—1.

Absent or not voting: Senator Williams—1.

Excused: Senators Day, Durkan, Keefe, Stender—4.

ENGROSSED SENATE BILL NO. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Greive, 2,000 additional copies were ordered printed of Senate Bill No. 25.

On motion of Senator Greive, the Senate returned to the sixth order of business.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Woodall moved that the Senate do now reconsider the vote by which Engrossed Senate Joint Resolution No. 4 failed to pass the Senate.

MOTION

Senator Henry moved that the Senate do now adjourn.

PERSONAL PRIVILEGE

Senator Mardesich: "Mr. President, had not the motion to adjourn been made, I had planned another motion; and I speak under personal privilege only because I am still personally involved in this matter having been Chairman of Appropriations in the House for some time and vitally interested in state appropriations. The motion I am trying to make. . . ."

POINT OF ORDER

Senator Atwood: "There is a motion to adjourn pending. I do not think we can discuss a point of personal privilege."

RULING BY THE PRESIDENT

The President: "The President believes the point of order by Senator Atwood is not necessarily well taken but believes that Senator Mardesich's remarks thus far have not been related to a point of personal privilege."

The motion by Senator Henry carried and at 11:45 a.m. the Senate adjourned until 12:00 noon, Monday, January 26, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FIFTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, January 26, 1970.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen, Foley, Huntley and Metcalf. On motion of Senator Atwood, Senators Huntley and Metcalf were excused. On motion of Senator Ryder, Senator Andersen was excused. On motion of Senator Greive, Senator Foley was excused. On motion of Senator Keefe, Senator Gissberg was excused.

The Color Guard, consisting of Pages Bruce Williams, Color Bearer, and Anne Marie Van Wart presented the Colors. Reverend Walter A. MacArthur, pastor of the United Methodist Church of Olympia, offered prayer as follows:

"Great God, Eternal Presence in all of our lives, we pause at the beginning session of this week to seek Thy sufficiency for the tasks at hand. Out of changing moods and spirits, we seek to be steadied by Thy constancy and the assurance of Thy continuing concern. Out of very plain and common needs and hungers, we seek a revelation of Thy light and wisdom and guidance. Out of failures and errors of judgment, we seek a restoration of our composure and confidence. If our deliberations seem muddled and our words and expressions appear tangled, move into the center of our lives with Thy quietness and peace. Prompt us, and propel us into just and righteous paths of determination and action. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Woodall, the motion for reconsideration of the vote by which Engrossed Senate Joint Resolution No. 4 failed to pass the Senate was made a special order of business for 11:30 a.m., Tuesday, January 27, 1970.

There being no objection, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

SENATE BILL NO. 12, requiring fiscal notes on bills affecting county current expense funds (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Canfield, Elicker, Faulk, Francis, McDougall, Peterson (Ted), Pritchard, Ridder, Stortini, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 18, providing minor students with capacity to borrow (reported by Committee on Higher Education and Libraries):

Recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 59, appropriating funds for preliminary planning for Northwest Environmental Education Center (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: That the bill be referred to Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

MOTION

On motion of Senator McCormack, Senate Bill No. 59 was referred to the Committee on Ways and Means—Appropriations.

January 22, 1970.

SENATE BILL NO. 132, implementing state teachers' retirement system provisions (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Henry, Knoblauch, McCutcheon, Marquardt, Odegaard, Peterson (Ted), Siender, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 139, regulating surface mining (reported by Committee on Natural Resources, Fisheries and Game):

Recommendation: That Substitute Senate Bill No. 139 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Metcalf, Odegaard, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 155, implementing law providing insurance for employees of state educational institutions (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Chairman; Elicker, Knoblauch, Marquardt, Metcalf, Odegaard, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 288, clarifying the position covered by the definition of faculty appointment as applies to community colleges (reported by Committee on Higher Education and Libraries):

Recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 24, 1970.

SENATE BILL NO. 324, providing for retirement plans for state college employees (reported by Committee on Higher Education and Libraries):

Recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENTS

January 24, 1970.

TRUEMAN SCHMIDT, to the position of Trustee of The Evergreen State College, appointed by the Governor on August 6, 1969 for the term ending August 6, 1975, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HALVOR HALVORSON, to the position of Trustee of The Evergreen State College,

appointed by the Governor on August 11, 1969 for the term ending August 6, 1972, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. JEAN BAKKE, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 3, 1968 for the term ending April 3, 1972, succeeding herself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GEORGE DUECY, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JOHN L. HAGENSEN, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 3, 1968 for the term ending April 3, 1972, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. RUTH SHEPHERD, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 4, 1969 for the term ending April 3, 1973, succeeding herself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

AVERY PEYTON, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

EVERT LANDON, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JOHN R. HENRY, to the position of Trustee of the State Board for Community College Education, appointed by the Governor on July 17, 1969 for the term ending April 3, 1973, succeeding Dr. James Moore (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GERALD A. HUNT, to the position of Member of the Community College District No. 1 (Peninsula), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HENRY V. CHARNELL, JR., to the position of Member of the Community College District No. 1 (Peninsula), appointed by the Governor on April 3, 1969 for the term ending April 4, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HARRY T. HUNT, to the position of Member of the Community College District No. 1 (Peninsula), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 23, 1970.

BOYD RUPP, to the position of Member of the Community College District No. 1 (Peninsula), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HARRIS JOHNSON, to the position of Member of the Community College District No. 1 (Peninsula), appointed by the Governor on April 17, 1968 for the term ending April 3, 1973, succeeding Dr. R. H. Wehrli (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. WILLIAM J. MCKINNEY, to the position of Member of the Community College District No. 2 (Grays Harbor), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HARRY C. JAMES, to the position of Member of the Community College District No. 2 (Grays Harbor), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

OLIVER TIBBETTS, to the position of Member of the Community College District No. 2 (Grays Harbor), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

EDWIN VAN SYCKLE, to the position of Member of the Community College District No. 2 (Grays Harbor), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LAWRENCE WEINSTEIN, to the position of Member of the Community College District No. 2 (Grays Harbor), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. BRUCE CRASWELL, to the position of Member of the Community College District No. 3 (Olympic), appointed by the Governor on September 22, 1969 for the term ending April 3, 1971, succeeding Peggy Larson (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JOHN O'NEILL, to the position of Member of the Community College District No. 3 (Olympic), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LOUIS SORIANO, to the position of Member of the Community College District No. 3 (Olympic), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GORDON L. FARRAR, to the position of Member of the Community College District No. 3 (Olympic), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.
Passed to Committee on Rules and Joint Rules.

January 24, 1970.

H. P. CREEL, to the position of Member of the Community College District No. 4 (Skagit Valley), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

NORMAN H. DAHLSTEDT, to the position of Member of the Community College District No. 4 (Skagit Valley), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. J. W. McCANN, to the position of Member of the Community College District No. 4 (Skagit Valley), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. RICHARD M. HOAG, to the position of Member of the Community College District No. 4 (Skagit Valley), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

NORMAN P. OLDENBURG, to the position of Member of the Community College District No. 4 (Skagit Valley), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

P. CAMERON DeVORE, to the position of Member of the Community College District No. 6 (Seattle), appointed by the Governor on April 3, 1968 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MARVIN E. GLASS, to the position of Member of the Community College District No. 6 (Seattle), appointed by the Governor on July 24, 1969 for the term ending April 3, 1974, succeeding Carl Dakan (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ARTHUR SIEGAL, to the position of Member of the Community College District No. 6 (Seattle), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JAMES SULLIVAN, to the position of Member of the Community College District No. 6 (Seattle), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. ROY S. MAR, to the position of Member of the Community College District No. 6 (Seattle), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. INA V. KNUTSEN, to the position of Member of the Community College District No. 7 (Shoreline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ROBERT V. LEONARD, to the position of Member of the Community College District No. 7 (Shoreline), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DON C. McCHESNEY, to the position of Member of the Community College District No. 7 (Shoreline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

BEN WOOD, JR., to the position of Member of the Community College District No. 7 (Shoreline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

PINCKNEY M. ROHRBACK, to the position of Member of the Community College

District No. 7 (Shoreline), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

EDWARD S. BORDSEN, to the position of Member of the Community College District No. 5 (Everett), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ARCHIE BAKER, to the position of Member of the Community College District No. 5 (Everett), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

RAMON J. GOULD, to the position of Member of the Community College District No. 5 (Everett), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. ANNE NELSKOG, to the position of Member of the Community College District No. 5 (Everett), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. ARNE G. HANSEN, to the position of Member of the Community College District No. 5 (Everett), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

C. W. DUFFY, to the position of Member of the Community College District No. 8 (Bellevue), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

C. E. ROBISON, to the position of Member of the Community College District No. 8

(Bellevue), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ROY S. PETERSON, to the position of Member of the Community College District No. 8 (Bellevue), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. HARRIETT S. JAQUETTE, to the position of Member of the Community College District No. 8 (Bellevue), appointed by the Governor on April 3, 1967 for the term ending April 3, 1973 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

REVEREND ROBERT F. HAYMAN, to the position of Member of the Community College District No. 8 (Bellevue), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

VINCENT MENNELLA, to the position of Member of the Community College District No. 9 (Highline), appointed by the Governor on September 11, 1969 for the term ending April 3, 1973, succeeding Glen Norman (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. SHIRLEY S. MURRAY, to the position of Member of the Community College District No. 9 (Highline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DAVID LUNDBERG, to the position of Member of the Community College District No. 9 (Highline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

EDWARD LePENSKE, to the position of Member of the Community College District No. 9 (Highline), appointed by the Governor on April 3, 1969 for the term ending April 3,

1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

REID E. HALE, to the position of Member of the Community College District No. 9 (Highline), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. RICHARD A. EIDAL, to the position of Member of the Community College District No. 10 (Green River), appointed by the Governor on April 3, 1968 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. SPENCER W. SHAW, to the position of Member of the Community College District No. 10 (Green River), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HUGH L. MATHEWS, to the position of Member of the Community College District No. 10 (Green River), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

WILLIAM F. KENNELLY, to the position of Member of the Community College District No. 10 (Green River), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ROBERT OLSON, to the position of Member of the Community College District No. 10 (Green River), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JAMES A. DAVIS, to the position of Member of the Community College District No. 11 (Clover Park), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.
Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MERRILL A. YOUNG, to the position of Member of the Community College District No. 11 (Clover Park), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. JACK ERICKSON, to the position of Member of the Community College District No. 11 (Clover Park), appointed by the Governor on May 27, 1969 for the term ending April 3, 1974, succeeding John Anderson (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

WALLACE HAGER, to the position of Member of the Community College District No. 11 (Clover Park), appointed by the Governor on April 17, 1968 for the term ending April 3, 1973, succeeding Mrs. Phyllis Erickson (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GORDON S. GASPARD, to the position of Member of the Community College District No. 11 (Clover Park), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

VERNON L. MARTIN, to the position of Member of the Community College District No. 12 (Centralia), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

A. T. KOENNINGER, JR., to the position of Member of the Community College District No. 12 (Centralia), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ERNEST HAMILTON, to the position of Member of the Community College District No. 12 (Centralia), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson,
Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. ANNE M. CALDWELL, to the position of Member of the Community College District No. 12 (Centralia), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GEORGE WARREN, to the position of Member of the Community College District No. 12 (Centralia), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

HERBERT C. URIE, to the position of Member of the Community College District No. 13 (Lower Columbia), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. WARD H. SMITH, to the position of Member of the Community College District No. 13 (Lower Columbia), appointed by the Governor on July 19, 1969 for the term ending April 3, 1970, succeeding Earl Reed (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

WILLIAM L. BRIGMAN, to the position of Member of the Community College District No. 13 (Lower Columbia), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ERIC FEASEY, to the position of Member of the Community College District No. 13 (Lower Columbia), appointed by the Governor on January 20, 1969 for the term ending April 3, 1973, succeeding Timothy A. Manning (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ABE J. MARTIN, to the position of Member of the Community College District No. 13 (Lower Columbia), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

RONALD KEIL, to the position of Member of the Community College District No. 14 (Clark), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

O. LOYD HINDS, SR., to the position of Member of the Community College District No. 14 (Clark), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

RICHARD E. LAWTON, to the position of Member of the Community College District No. 14 (Clark), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

CLARENCE IRWIN, to the position of Member of the Community College District No. 14 (Clark), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. BETTY J. MAGE, to the position of Member of the Community College District No. 14 (Clark), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding herself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ROSS A. HEMINGER, to the position of Member of the Community College District No. 15 (Wenatchee), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. ROBERT N. KINTNER, to the position of Member of the Community College District No. 15 (Wenatchee), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. JOSEPH BEALL, to the position of Member of the Community College District No. 15 (Wenatchee), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding Barney Slaughaupt (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. MERILYNN A. WILSON, to the position of Member of the Community College District No. 15 (Wenatchee), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JOAN LUDWICK, to the position of Member of the Community College District No. 15 (Wenatchee), appointed by the Governor on April 19, 1968 for the term ending April 3, 1973, succeeding Joan E. Van Divort (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ALEX DECCIO, to the position of Member of the Community College District No. 16 (Yakima), appointed by the Governor on July 3, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

W. ZEKE SMITH, to the position of Member of the Community College District No. 16 (Yakima), appointed by the Governor on April 3, 1968 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

YOSHIO HATA, to the position of Member of the Community College District No. 19 (Yakima), appointed by the Governor on July 3, 1969 for the term ending April 3, 1973, succeeding A. Delt Clark (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

PAUL RICKMAN, to the position of Member of the Community College District No. 16 (Yakima), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. RUTH F. MOTTLEY, to the position of Member of the Community College District No. 19 (Yakima), appointed by the Governor on October 3, 1969 for the term ending April 3, 1970, succeeding Walter Stauffacher (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LEONARD STUBBS, to the position of Member of the Community College District No. 17 (Spokane), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

BRYANT SMICK, to the position of Member of the Community College District No. 17 (Spokane), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. ELLEN SAX, to the position of Member of the Community College District No. 17 (Spokane), appointed by the Governor on June 23, 1969 for the term ending April 3, 1974, succeeding Mrs. Vida Finch (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

THOMAS S. GIBONEY, to the position of Member of the Community College District No. 17 (Spokane), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ELDON REILEY, to the position of Member of the Community College District No. 17 (Spokane), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

WALTER L. CLICK, to the position of Member of the Community College District No. 18 (Big Bend), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. HAROLD L. TRACY, to the position of Member of the Community College District No. 18 (Big Bend), appointed by the Governor on June 4, 1968 for the term ending April 3, 1973, succeeding Burl Wyckoff (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MAX KOHLER, to the position of Member of the Community College District No. 18 (Big Bend), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ALMA S. GALBREATH, to the position of Member of the Community College District No. 18 (Big Bend), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DEAN JUDD, to the position of Member of the Community College District No. 18 (Big Bend), appointed by the Governor on April 3, 1969 for the term ending April 3, 1974, succeeding Winston Webber (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

CHARLES E. BOWERS, to the position of Member of the Community College District No. 19 (Columbia Basin), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

GUY D. ADAMS, to the position of Member of the Community College District No. 19 (Columbia Basin), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

O. C. ADAMS, to the position of Member of the Community College District No. 19 (Columbia Basin), appointed by the Governor on December 22, 1969 for the term ending April 3, 1970, succeeding Tommy Ambrose (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LYLE D. PERRIGO, to the position of Member of the Community College District No. 19 (Columbia Basin), appointed by the Governor on April 4, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

TERRILL H. DAVIS, to the position of Member of the Community College District No. 19 (Columbia Basin), appointed by the Governor on June 24, 1969 for the term ending April 3, 1974, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LESLIE W. JAMES, to the position of Member of the Community College District No. 20 (Walla Walla), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ARDEN ARCHER, to the position of Member of the Community College District No. 20 (Walla Walla), appointed by the Governor on June 23, 1969 for the term ending April 3, 1974, succeeding John Malone (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

I. L. SMITH, to the position of Member of the Community College District No. 20 (Walla Walla), appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding himself (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. GEORGE W. WOOD, to the position of Member of the Community College District No. 20 (Walla Walla), appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

LARRY A. BEAULAURIER, to the position of Member of the Community College District No. 20 (Walla Walla), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. E. K. STIMPSON, to the position of Member of the Community College District No. 21, appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

STANLEY BRUNNER, to the position of Member of the Community College District No. 21, appointed by the Governor on June 9, 1969 for the term ending April 3, 1974, succeeding Duane Reed (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. T. J. BAY, to the position of Member of the Community College District No. 21, appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DR. SAM P. KELLY, to the position of Member of the Community College District No. 21, appointed by the Governor on April 3, 1967 for the term ending April 3, 1972 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JAMES G. McKELLAR, to the position of Member of the Community College District No. 21, appointed by the Governor on April 3, 1968 for the term ending April 3, 1973, succeeding Lawrence R. Belka (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

JOHN BINNS, to the position of Member of the Community College District No. 22 (Tacoma), appointed by the Governor on April 3, 1967 for the term ending April 3, 1971 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

CHARLES EDMUNDS, to the position of Member of the Community College District No. 22 (Tacoma), appointed by the Governor on April 3, 1967 for the term ending April 3, 1973 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

MRS. MAXINE MYERS, to the position of Member of the Community College District

No. 22 (Tacoma), appointed by the Governor on April 3, 1967 for the term ending April 3, 1970 (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

ROBERT M. YAMASHITA, to the position of Member of the Community College District No. 22 (Tacoma), appointed by the Governor on September 15, 1969 for the term ending April 3, 1972, succeeding Lewis Hatfield (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

January 24, 1970.

DEWEY H. TUGGLE, JR., to the position of Member of the Community College District No. 22 (Tacoma), appointed by the Governor on May 8, 1969 for the term ending April 3, 1974, succeeding Frank Cooper (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

MESSAGE FROM THE SECRETARY OF STATE

January 12, 1970.

THE HONORABLE, THE PRESIDENT OF THE SENATE,
THE LEGISLATURE OF THE STATE OF WASHINGTON,
OLYMPIA, WASHINGTON.

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, the following bills passed by the Senate and the House of Representatives at the First Extraordinary Session of 1969, and partially vetoed by the Governor, together with his veto messages attached thereto. They are Enrolled Senate Bill 42, Substitute Senate Bill 151, Substitute Senate Bill 152, Substitute Senate Bill 157, Senate Bill 243, Substitute Senate Bill 326, Substitute Senate Bill 556, and Substitute Senate Bill 724.

Respectfully,

A. LUDLOW KRAMER
Secretary of State.

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Senate Bill No. 42 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of one item in Section 2 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 279, Laws of 1969, First Extraordinary Session, and with the exception of the vetoed item became effective on August 11, 1969.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to one item, SENATE BILL NO. 42, entitled:

“An Act relating to vital statistics.”

The 1967 legislature created a statewide registry within the Department of Health for marriages and decrees of divorce, annulment or separate maintenance. The Department of Health for many years has maintained a statewide registry for births and deaths. This bill modifies the reporting requirements in certain particulars in order to protect rights of privacy. It also transfers from persons solemnizing marriages to the county auditor the responsibility to report marriages to the central state registry.

Section 2 of the bill makes reference to “marriage applications” along with the other forms required for reporting to the central registry. These forms by the provisions of Section 2 shall include, with certain exceptions, those items recommended by the federal agency responsible for national vital statistics. The reference to “marriage applications” would appear to have inadvertently been included in the bill inasmuch as there is no standard certificate recommended by the federal agency responsible for national vital statistics relating to marriage applications.

Since this language if left in the bill could result in confusion as to the intent and since reference is already made to marriage forms, I have vetoed the reference to marriage applications found in Section 2.

The remainder of the bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Substitute Senate Bill No. 151 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of certain items in Section 1 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 282, Laws of 1969, First Extraordinary Session. Because of the emergency clause contained in Section 15, this Act became effective upon approval of the Governor as of May 23, 1969, with the exception of the vetoed items.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, SUBSTITUTE SENATE BILL NO. 151, entitled:

“An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1969, and ending June 30, 1971; making supplemental appropriations; and declaring an emergency.”

The appropriation to the Supreme Court includes a proviso that states that “no pro tem judges shall be employed after January 1, 1970.” The intention of this proviso is to make clear that with the creation of the appellate court, the need for pro tem supreme court judges to assist in the heavy workload of that court should no longer be necessary. However,

there are at times circumstances which do justify the use of pro tem judges, such as where a supreme court justice may be disqualified or where there may be extended illness. I have accordingly vetoed this proviso with assurances from the Chief Justice that pro tem judges will be used only in extraordinary circumstances.

The appropriation to the attorney general contains a proviso that "\$50,000 may be used for assistance to counties which do not have full-time prosecutors." Since this proviso by its terms does not actually limit the use of funds appropriated to the attorney general for providing assistance to part-time prosecutors and since the assistance needs of part-time prosecutors may well exceed the sum stated, I have removed this limitation to provide greater flexibility to the office of the attorney general.

In the appropriation to the teachers' retirement system, reference is made to the provisions of "House Bill No. 514 or Senate Bill No. 427". Since the provisions referred to ultimately passed the legislature in neither of these bills but in Senate Bill No. 556, I have vetoed the incorrect reference in order to avoid any uncertainty as to the intention of this provision of the budget.

In the appropriation to the Department of Public Assistance a proviso is included which prohibits general assistance payments unless the applicant or recipient has resided in the state for three out of the last four years. A further proviso authorizes the director to make payments of emergency general assistance notwithstanding the residency requirement for a period of not to exceed ninety days if a denial of assistance would cause undue hardship. The United States Supreme Court has recently held unconstitutional state residency requirements which limit the right of potential recipients from receiving public assistance. Since this is now a constitutional standard which will shortly be implemented within this state I consider it appropriate to delete these provisos from the budget.

In the appropriation to the Department of Agriculture a proviso is included that "not to exceed \$60,000 shall be allocated to Washington State University for the Livestock Diagnostic Center." This proviso contradicts the provisions of Senate Bill No. 313, Chapter 100, Laws of 1969, which authorizes the livestock disease diagnostic program and permits the Director of Agriculture to negotiate contracts with public or private agencies including but not limited to Washington State University. The proviso also could be interpreted to limit expenditures to capital outlays while the intent of the enabling legislation is to establish a program rather than a "Center". Finally, the proviso would appear to limit program expenditures to \$60,000 for the biennium while the enabling legislation permits the service to be provided on a fee basis so that total expenditures should be permitted to exceed \$60,000. For these reasons, I have vetoed the proviso in question.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS

Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Substitute Senate Bill No. 152 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of certain items in Section 1 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 280, Laws of 1969, First Extraordinary Session. Because of the emergency clause contained in Section 11, this Act became effective upon approval of the Governor as of May 23, 1969, with the exception of the vetoed items.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER

Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, SUBSTITUTE SENATE BILL NO. 152, entitled:

"An Act adopting the capital budget; making appropriations for capital improvements; authorizing certain projects; and declaring an emergency."

The appropriation for the board of education in the capital budget provides from the common school construction fund the sum of \$37,004,427. This amount was also appropriated in Senate Bill No. 737. Therefore, I am removing this duplication by vetoing this item.

In the capital appropriation to the Department of Natural Resources an item of \$80,000 from the Outdoor Recreation Account is included to improve Bird Creek road. This project was never submitted to or considered by the Interagency Committee on Outdoor Recreation although procedures are established whereby its priorities are determined. This priority system is endangered by this line item appropriation of funds from the outdoor recreation account. I have therefore vetoed this item.

The remainder of the bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Substitute Senate Bill No. 157 as passed by the First Extraordinary Session, 1969 Legislature and approved into law by the Governor with the exception of certain items in Section 1 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 278, Laws of 1969, First Extraordinary Session. Because of the emergency clause contained in Section 6, this Act became effective upon approval of the Governor as of May 23, 1969, with the exception of the vetoed items.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE OF,
THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am returning herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to several items, ENGROSSED SUBSTITUTE SENATE BILL NO. 157, entitled:

"An Act relating to highways; making appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, the Washington toll bridge authority, and the county road administration board; and declaring an emergency."

This is the Highway Appropriation Act. For the first time, a subcommittee of the legislature reviewed the Highway Department budget in depth, requesting extensive fiscal and performance information in support of the budget. This review was similar to that expected of other agencies of state government. The subcommittee should be highly commended for the excellent progress which they made in emphasizing the information which is vital to the executive and legislative decision process as well as to the management of an agency. They have performed a service which I hope they will continue in subsequent legislative sessions.

As a result of that review, in several programs a portion of the requested appropriation was set aside for subsequent allocation at the request of the highway commission, subject to the approval of the Joint Committee on Highways which must specify the objects for which such amounts will be expended. These amounts may then be allotted by the Central Budget Agency within the rules and procedures established for the allotment of funds to state agencies.

The Budget and Accounting Act clearly describes that it is the responsibility of the governor to propose expenditures. To establish a procedure by which an individual department of state government initiates a request for funding to a small and not broadly representative part of the legislature seems both contrary to the concept of the Budget and Accounting Act and disruptive of the legislative process. Should this example be carried to

its extreme, the various departments of state government could expect to have contingency funds which could be used only with the approval of numerous different interim committees. I do not believe that this is the desire of either the executive branch or a majority of the members of the legislature.

I have, therefore, vetoed the "contingency funds" established in section 1. In so doing, the Department of Highways budget is reduced by \$4,057,776 out of a total budget of \$680,145,033. I do not believe this will be disruptive of the program for the Highway Department appropriation anticipates distribution of substantial federal funding for additional construction which is in excess of that which will probably be received.

Prior to the 1970 legislative session which I intend to call, I will request the Highway Commission and Highway Department to review the highway requirements and provide information as to whether the contingent funds should be restored. A request for such additional funds as may be appropriate can then be submitted to the legislature in January, 1970, in accordance with the Budget and Accounting Act for review and approval by the entire legislature.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Senate Bill No. 243 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of one item in Section 3 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 277, Laws of 1969, First Extraordinary Session, and with the exception of the vetoed item became effective on August 11, 1969.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to one item, ENGROSSED SENATE BILL NO. 243, entitled:

"An Act relating to the council on higher education in the state of Washington."

This bill creates the Council on Higher Education. Its membership will make it broadly representative of the general public, public and private higher education and the legislature. It is charged with the responsibility of engaging in overall planning for higher education in the state. With the rapid increase in enrollments and the resources required to meet the needs of higher education the functions of this council will be extremely important. It is imperative that the council proceed promptly with its responsibilities upon being organized.

Section 3 of the bill describes the functions which the council may perform. An amendment was added to this section which would prohibit the council from undertaking any of its planning functions except upon the prior approval of the Joint Committee on Higher Education. The joint committee, created by Senate Bill No. 244 as a permanent statutory interim committee of the legislature, will also have major responsibilities relating to the development of legislative programs for higher education. I have concluded that it is inadvisable to limit the functions of the Higher Education Council only to those which may from time to time be approved by the Joint Committee on Higher Education.

My reasons for objecting to this limitation are:

1. The council will have within its membership four members of the legislature so that there should be adequate opportunity for a close working relationship with the legislature. In addition, I am confident that the council will want to work closely with the Joint Committee on Higher Education.

2. There are no standards included in the bill by which the Joint Committee on Higher Education may be measured in determining what subjects it will allow the council to undertake.

3. While the Joint Committee on Higher Education has a clear responsibility with respect to planning for higher education, so also do the general public and the representatives of higher education. The capacity of the council to consider the pressing planning problems of higher education should not be hamstrung by the need for prior approval of an interim committee of the legislature.

4. The council should commence its operations as soon as possible. With the failure of the supplemental appropriation bill, and the consequent lack of funding for the Joint Committee on Higher Education, its functions may be seriously hampered. This could in turn prevent the Council on Higher Education from functioning effectively because of the difficulty of obtaining the necessary prior approval of the joint committee.

With the exception of the single item in Section 3 of the bill, the remainder of the bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Senate Bill No. 326 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of certain items in Sections 10 and 11, and all of Section 23 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 239, Laws of 1969, First Extraordinary Session, and with the exception of the vetoed items became effective on August 11, 1969.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 22, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am returning herewith without my approval as to certain items, ENGROSSED SENATE BILL NO. 326 entitled:

"An Act relating to state government; creating an office of program planning and fiscal management within the office of the governor; prescribing its composition, powers, duties and functions; transferring certain powers, duties and functions thereto from the central budget agency and the planning and community affairs agency; abolishing the central budget agency."

This bill creates the Office of Program Planning and Fiscal Management within the Office of the Governor. The present functions of the Central Budget Agency and the planning functions of the Planning and Community Affairs Agency are transferred to the Office of Program Planning and Fiscal Management. This is a significant step forward in the process of planning and budgeting for state government.

Section 10 of the bill adds a new section to Chapter 43.88 RCW, the Budget and Accounting Act. Section 10 provides that the term "Budget Director" shall mean the Director of Program Planning and Fiscal Management. Because of language which limits the application of section 10, I have vetoed an item in that section so that the change in title from Budget Director to Director of Program Planning and Fiscal Management will be broadly construed.

Section 11 of the bill describes the responsibilities of the Office of Program Planning and Fiscal Management. Subsection 5 refers to that office providing aid to the Community Affairs and Development Agency. Since that agency was not created by the legislature as I had requested, in order to avoid any uncertainty as to the meaning of subsection 5 I have vetoed the item referring to the Community Affairs and Development Agency.

Section 23 of the bill provides that the effective date of the act will be July 1, 1969, the beginning of the next biennium. Since no emergency clause is included in the bill, and

less than ninety days remain before July 1, I have vetoed section 23 so that the effective date of the act will be ninety days after the adjournment of the first extraordinary session of the 41st Legislature.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Senate Bill No. 556 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of a certain item in Section 50 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act is now identified as Chapter 283, Laws of 1969, First Extraordinary Session, and with the exception of the vetoed item became effective on the following dates: PART I—August 11, 1969; PART II—August 11, 1969 but phases out as of July 1, 1970; PART II—July 1, 1970; Remaining portions of the Act became effective August 11, 1969.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to one item, ENGROSSED SENATE BILL NO. 556, entitled:

"An Act relating to education."

This bill is an omnibus education bill. Sections 46 through 50 contain provisions which authorize old age annuities and retirement income plans for community college employees. In Section 50 an erroneous internal reference is made to another section of the act. To cure this technical error I have vetoed the cross referenced provision in Section 50.

With the exception of that one item, the remainder of this bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE SECRETARY OF STATE

I, A. Ludlow Kramer, Secretary of State of the state of Washington and custodian of its seal, hereby certify that according to the records on file in my office:

Attached is a true and correct copy of Enrolled Senate Bill No. 724 as passed by the First Extraordinary Session, 1969 Legislature, and approved into law by the Governor with the exception of Section 19 and Subsection 3 of Section 37 which he vetoed, together with a copy of the Governor's veto message.

I further certify that this Act, excluding the vetoed items, is now identified as Chapter 281, Laws of 1969, First Extraordinary Session and, because of the emergency clause contained in Section 23, became effective upon approval of the Governor as of May 23, 1969 with the exception of Sections 32 and 54 which became effective January 1, 1970.

IN WITNESS WHEREOF, I have signed and have affixed the seal of the state of Washington to this certificate at Olympia, the state Capitol, January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State.

Office of the Governor, May 23, 1969.

TO THE HONORABLE, THE SENATE,
OF THE STATE OF WASHINGTON.
(THROUGH THE SECRETARY OF STATE)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, ENGROSSED SUBSTITUTE SENATE BILL NO. 724, entitled:

"An Act relating to highways and the operation of vehicles thereon; describing powers and duties of the Washington state highway commission, the Washington toll bridge authority, the department of motor vehicles and the joint committee on highways together with the divisions of said agencies; providing for the designation, establishment, and construction of certain highway facilities and alternate routes; relating to ferries and other toll facilities and the financing thereof; providing for surveys and studies of proposed highway additions; providing for highway studies; prescribing fees, size, weight, load permits, fuel tax exemptions and equipment restrictions for certain motor vehicles; and relating to the licensing of drivers and vehicles."

This is the highway omnibus bill. It contains 64 sections relating to various aspects of the highway program.

Section 19 and Subsection 3 of Section 37 attempt to address the serious and growing problem related to urban transportation. Section 19 creates a division of urban transportation in the Washington State Highway Commission and is charged with the responsibility of coordinating state, regional and local transportation planning in cooperation with regional and local agencies. In addition it is made responsible for the administering of transportation planning and research grants to regional agencies, cities and counties and is given primary responsibility for coordinating the development of balanced transportation plans. This division is also given oversight functions with respect to the expenditure of the one percent excise tax on motor vehicles as authorized in Engrossed House Bill No. 641, the mass transit bill.

The need for a comprehensive approach to transportation planning is now beyond dispute. Regrettably, the legislature declined to create a comprehensive Department of Transportation as I had requested. Section 19 of this bill now seeks to grant to the Highway Commission and the Department of Highways certain aspects of what would have been included within a broad Department of Transportation.

Until a Department of Transportation is created which will have the capacity to plan comprehensively, I do not consider it desirable to assign the urban transportation planning functions to a commission and department whose basic function is to design, construct and administer the public highway system only.

Subsection 3 of Section 37 authorizes the Joint Committee on Highways to undertake a comprehensive review of long-range transportation plans for the Seattle Metropolitan area as adopted by the City of Seattle, the Municipality of Metropolitan Seattle, King County, the Puget Sound Governmental Conference and the State Highway Commission. The committee is directed to retain consultants to evaluate the existing long-range transportation plans and the proper roles of responsibility for various modes of transportation. The consultants are to be charged with recommending criteria or models to be used in assigning to the various modes of transportation responsibility for meeting present and long-range traffic carrying requirements.

In view of the most recent pronouncement of the Washington State Supreme Court in *Slavin V. O'Connell*, 75 Wn. 2d 568 (1969), there is a serious question as to the constitutionality of the use of the motor vehicle fund for non-highway transportation purposes. In addition, the undertaking of a comprehensive review of long-range transportation plans includes the serious risk of significant further delay in implementing a mass transit program, strong support for which has been provided by the legislature with the passage of Engrossed House Bill No. 641. The support shown by the legislature for public transportation systems in all of our cities reflects a desire to get on with the job of constructing a balanced transportation system.

While the concept of comprehensive transportation planning is highly desirable, the mechanics of accomplishing this objective as embodied in Section 19 or Subsection 3 of Section 37 are not acceptable as submitted. I urge the legislature again at its earliest opportunity to consider and enact a bill creating a Department of Transportation which will bring this state into step with both the federal government and many other states and will provide the means for a broad attack upon the critically important transportation problems of our state.

For the reasons stated I have vetoed Section 19 and Subsection 3 of Section 37.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MOTION

On motion of Senator Greive, the partial veto messages together with the bills were referred to the Committee on Rules and Joint Rules.

MESSAGE FROM THE HOUSE

January 24, 1970.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 5,
 ENGROSSED HOUSE BILL NO. 15,
 HOUSE BILL NO. 116,
 ENGROSSED HOUSE BILL NO. 304,
 HOUSE JOINT RESOLUTION NO. 8,
 and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 5, by Representatives Conner and Marzano:
 Creating a tax exemption for sheltered workshops.
 Referred to Committee on Ways and Means—Revenue and Taxation.

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

Regulating surface mining.
 Referred to Committee on Natural Resources, Fisheries and Game.

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

Relating to abortion and providing for a referendum.
 Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 304, by Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by executive request):

Relating to toll facilities and financing.
 Referred to Committee on Highways.

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

Changing the procedure for amending the Constitution.
 Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE RESOLUTION: 1970-EX-12

By Senator Washington:

WHEREAS, The increase of toxic automobile exhaust from internal combustion engines producing increased pollution of the air we breathe is a source of growing concern to the citizens of the state of Washington; and

WHEREAS, In the metropolitan areas of our state, seventy percent of the air pollution is caused directly by the emission of the exhaust from internal combustion engines; and

WHEREAS, The dangers to the environment of our nation and of the world have been studied and analyzed, and the critical nature of the problems associated with the unregulated proliferation of internal combustion engines has been frequently noted in scientific articles and private research studies, as well as legislative and congressional inquiries; and

WHEREAS, The solution of these problems involves commerce among the states to a degree that no state individually can attack the problems in a comprehensive manner, both because of constitutional restrictions and because of financial limitations to study

reasonable and effective alternate modes of propulsion that could supplant internal combustion engines as the principal source of energy for the privately owned automobile; and

WHEREAS, Congress has made a significant first step toward reducing air pollution from internal combustion engines in passing the Air Quality Act of 1967 and the Clean Air Act of 1969, and Senators Magnuson, Jackson, and Muskie are to be commended for the introduction of S. 3072 during the first session of the 91st Congress; and

WHEREAS, The United States Congress alone can appropriate sufficient resources to solve this critical problem both by requiring automobile manufacturers to install even more effective anti-pollutive devices on all vehicles, and by encouraging and stimulating research into imaginative methods of producing low cost motors using other methods of propulsion.

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the President of the United States approve the Labor, Health, Education and Welfare Appropriations bill recently passed by Congress, in which \$45,000,000 is appropriated for research into the production of "smogless cars" as described in Section 104 of the Clean Air Act, and that the Commerce Committee of both the Senate and the House of Representatives of the Congress continue to foster methods of combating this most serious national problem.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to President Richard M. Nixon, to Secretary Robert Finch, Secretary of Health, Education and Welfare, to Senator Warren G. Magnuson, Chairman of the Senate Commerce Committee, and to Representative Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee.

MOTIONS

Senator Washington moved adoption of the resolution.

Senator Williams moved that the resolution be referred to the Committee on Ways and Means.

POINT OF INQUIRY

Senator Williams: "Would you be willing that we hold over my motion as well to see what we can do in the next twenty-four hours?"

Senator Washington: "I have no objection to that."

Senator Williams: "All right then if there is no objection, Mr. President, I suggest we hold this over until tomorrow, the resolution and the motion."

REPLY BY THE PRESIDENT

The President: "With the approval of the Senate, Senator Williams' motion will hold its place in the proceedings of tomorrow."

On motion of Senator Williams, Senate Resolution 1970-EX-12 was held for Tuesday, January 27, 1970.

MOTION

Senator Mardesich moved that the President of the Senate appoint a bipartisan committee composed of five members of the Senate to investigate and verify the accuracy of the information contained in the news article in the Daily Olympian on Friday, January 23, relating to the policy established by Governor Evans and his Department of Public Assistance under which \$18,000 per year employees are being sent to law school for three years at full pay—possibly with tuition and expenses paid; that the committee further determine the extent of such practice; whether such practice exists in departments other than Public Assistance; and the costs of such policies and programs to the people of the state of Washington; that the committee as so appointed report back to the Senate as to its findings on or before February 10, 1970 so that the Senate may consider whether such policy should be censured.

Senator Mardesich: "Mr. President, I make this motion for two reasons, one because I am utterly amazed at the practice if it be in fact a practice of this state government and this administration that we should send someone to school while he is getting an eighteen thousand dollar salary and, perhaps I would assume even more ridiculous, if he is receiving—and I would venture that he is—tuition money and book money at the same time."

POINT OF ORDER

Senator Lewis (Brian): "Mr. President, I would inquire whether Senator Mardesich has complied with Rule 17 of the Senate in producing his motion in writing."

RULING BY THE PRESIDENT

The President: "In answer to your query, Senator Lewis, Senator Mardesich has complied with the provisions of Rule 17 and has submitted the motion in writing. The Secretary will prepare copies for each member just as soon as possible."

MOTION

At 12:25 p.m., on motion of Senator Greive, the Senate recessed until 1:25 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:25 p.m.
The Senate resumed consideration of the motion by Senator Mardesich.

MOTION

Senator Lewis (Harry) moved adoption of the following amendment to the motion by Senator Mardesich:

After "composed of" strike "five" and insert "four"
Debate ensued.

POINT OF ORDER

Senator Woodall: "The matter before the Senate right now is whether the membership be composed of four or be composed of five. That is what is before the body at the moment. Senator Dore is launching into the amount of cuts to the recipients and some people running temperatures and fevers. If you keep that up, some of us will run a temperature; but it seems to me that the only thing before the body now is the amendment proposed by Senator Harry Lewis. Do we want the motion of Senator Mardesich to have four members or five members? That is the only thing before the body."

Further debate ensued.

POINT OF INQUIRY

Senator Bailey: "Would Senator Newschwander yield to a question? Senator, do you think that Leonard Hegland had allowed people to go to school to study law at an \$18,000 a year salary?"

Senator Newschwander: "I talked to him at the time when I was afraid that was going to happen and he assured me it would not. Right after the session adjourned, the department sat down and set up the rules at that time that we are working on today. I certainly do not go along with what they are doing. I will say that right now and I am sure that Leonard Hegland would not either."

Senator Bailey: "This is the point that we are getting at. We do not go along with either although we do agree that there is a need for further training in some of these departments. We feel that this is rather an exaggeration and just want the record clear that as far as we know there has been no such exaggeration of this law in the past and it is the first time it has been brought to our attention. I would like to see it go to a committee and ask every department of the state, after Senator Dore has his meeting today, to make a complete accounting for the past four years as to whom they sent to school, what they went to school for and how much they were paid while studying."

There being no objection, the motion by Senator Mardesich was withdrawn.

POINT OF INQUIRY

Senator Canfield: "Would Senator Dore yield to a question? Senator, if this proposition does pass your committee, would you be willing to have the full study made by

the budget committee of which you are a member so we can study the policy and make recommendations?"

Senator Dore: "Could I ask you a question, Senator?"

Senator Canfield: "I would rather have you answer that one first."

Senator Dore: "I have to ask you one first. Are you going to make me chairman?"

Senator Canfield: "Of the budget committee?"

Senator Dore: "I was just being facetious, Senator, but I understand there is nothing before the body right now. Senator Mardesich has withdrawn his motion and we now can proceed, I assume, to discuss your resolution. Since you indicate you have withdrawn yours, there is nothing before us, Senator. I really cannot answer your question."

MOTION

On motion of Senator Greive, Senate Bill No. 1 was ordered held on the second reading calendar for Tuesday, January 27, 1970.

SECOND READING

SENATE BILL NO. 82, by Senators Woodall, Twigg, Greive and Cooney:

Changing the number of jurors required for a civil verdict from ten to nine.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Senate Bill No. 82 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 82, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Absent or not voting: Senator Williams—1.

Excused: Senators Foley, Huntley—2.

SENATE BILL NO. 82, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 141, by Senators Woodall, Greive, Cooney and Twigg:
Creating crimes and penalties for illegal use of credit cards.

REPORT OF STANDING COMMITTEE

January 22, 1970.

SENATE BILL NO. 141, creating crimes and penalties for illegal use of credit cards (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, lines 32 and 33, after "theft" strike "; or" and insert a period.

On page 4, section 3, line 1, before "not" strike "(7) He is" and insert "When a person", and on line 1, after "thereof" and before "has" strike "and"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Holman, McCormack, Ridder, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 6, section 9, beginning on line 16, strike all of sections 9 and 10.

On motion of Senator Woodall, the rules were suspended, Engrossed Senate Bill No. 141 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 141, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Excused: Senators Foley, Huntley-2.

ENGROSSED SENATE BILL NO. 141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator McCutcheon: "In the north gallery in the front row is Mrs. Ernest W. Lennart, a very dear friend of everybody on this Senate floor. I think we all ought to recognize that she has come down here to visit and hope she comes very often."

PRESIDENT'S PRIVILEGE

The President: "Thank you very much, Senator McCutcheon. Thank you, Mrs. Lennart, for gracing the Senate with your presence today."

SECOND READING

SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 86, providing post retirement adjustments in retirement allowances for public employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 18 strike all of subsection (3) and renumber the remaining subsections consecutively.

On page 2, beginning on line 3, strike the remainder of the bill.

Signed by: Senators Stortini, Chairman; Connor, Durkan, Faulk, Matson, Ridder.

The bill was read the second time by sections.

On motion of Senator Stortini, the committee amendments were adopted.

MOTIONS

On motion of Senator Williams, Engrossed Senate Bill No. 86 was held on the second reading calendar for Tuesday, January 27, 1970.

At 2:10 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Tuesday, January 27, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SIXTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 27, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg.

The Color Guard, consisting of Pages Mike Coak, Color Bearer, and Chris Pomeroy presented the Colors. Reverend Walter A. MacArthur, pastor of the United Methodist Church of Olympia, offered prayer as follows:

"Almighty God, Thou in whom all ages are as one time, walk with us in the deliberations of this day as we face the knotty problems facing our future as a State and Society. The burden of responsibility we carry is great and our hands are small, we tend to become calloused with the traffic of haste, if not confusion. Grant us not alone the good intention or noble purpose with which to act but the skill to fashion our decisions with creative mastery that they will indeed bring acceptable answer to the perplexities with which we grapple and adequate help to those whose lives are intolerable because of constricting rules and regulations. Let us constantly be aware of Thy presence and power throughout this day and may the work of our hands and heads be the indication to all others that we were aware of Thy presence. Amen."

On motion of Senator Henry, the reading of the journal of the previous day was dispensed with and it was approved.

The President declared the Senate to be in recess until 12:00 noon.

NOON SESSION

The Secretary called the roll and announced to the President that all Senators were present except Senators Keefe and Herr. On motion of Senator Peterson (Lowell), Senator Herr was excused. On motion of Senator Knoblauch, Senator Keefe was excused.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of David R. Sternoff, national president of the Young Democrats and appointed a special committee consisting of Senators Durkan, Twigg and Francis to escort Mr. and Mrs. Sternoff to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Mr. Sternoff to address the Senate.

The committee of honor escorted the guests from the Senate Chamber.

MOTION

On motion of Senator Woodall, Engrossed Senate Joint Resolution No. 4 was made a special order of business for 11:30 a.m., Wednesday, January 28, 1970.

PERSONAL PRIVILEGES

Senator Lewis (Harry): "Gentlemen of the Senate, I would like to speak very briefly and recount to you an experience I had this morning starting at 6:00 o'clock. I understand that many of you had other experiences starting a little bit earlier than that this morning. You have a note on your desk which I did have circulated so that you would know that you have friends here in Olympia who were concerned with you and with problems that you might be having as a result of the fire at the Tye. I would just like to briefly report to you that at 6:00 this morning my phone started ringing at home hearing from people throughout the Olympia-Lacey-Tumwater, Thurston County, area who were early risers, who had heard about the fire, and whose first and instant reaction was of concern for you gentlemen and

for the other people who are down here for this session of the legislature. I had great difficulty trying to get my teeth scrubbed because of the phone ringing continually, and before I finally did leave the house, I had over fifteen calls. My wife advised me that they continued and have continued all morning. I think it is a touching thing; while many times Olympia gets its lumps, gentlemen, this time I want you to know that Olympia was really sincerely thinking of you. Thank you."

Senator McCormack: "I would like to concur in the remarks made by Senator Lewis and express my personal appreciation. I happened to get some publicity at the fire because a radio man stuck a microphone in front of me while I was standing there, so my voice came over the radio. Between 7:55 and 8:00 this morning, I had three phone calls from Olympians offering me a place to stay. I think this expression of sympathy and cooperation is very wonderful, and I particularly appreciate it."

REPORTS OF STANDING COMMITTEES

January 26, 1970.

SENATE BILL NO. 91, providing arrest authority at scene of motor vehicle accidents (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Durkan, Foley, Francis, Holman, McCormack, Ridder, Twigg, Walgren, Williams, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 107, revising criteria for reimbursement to school districts for safe walkways for pupils (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Stender, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 190, relating to livestock (reported by Committee on Agriculture and Horticulture):

Recommendation: Do pass as amended.

Signed by: Senators Donohue, Chairman; Canfield, Day, Knoblauch, McDougall, Matson, Odegaard, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 204, relating to Spokane judges (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Durkan, Francis, Holman, Ridder, Twigg, Walgren, Williams, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 309, providing that methods teachers may be given leave to obtain classroom experience (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Marquardt, Metcalf, Odegaard, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENT

January 26, 1970.

JEFF DOMASKIN, to the position of Member of the Parks and Recreation Commission, appointed by the Governor on February 5, 1969 for the term ending December 31, 1974, succeeding Clair Greeley (reported by the Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

Recommends that said appointment be confirmed.

Signed by: Senators Wilson, Chairman; Bailey, Canfield, Durkan, Henry, Lewis (Brian), Lewis (Harry), Mardesich, Pritchard.

Passed to Committee on Rules and Joint Rules.

JOURNAL OF THE SENATE

MESSAGE FROM THE HOUSE

January 26, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 13, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

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

Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

Referred to Committee on Ways and Means.

MOTIONS

On motion of Senator Williams, Senate Resolution No. 1970-EX-12 was made a special order of business immediately following the noon recess.

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:35 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:35 p.m.

SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Senate Resolution No. 1970-EX-12 and the motion by Senator Williams of Monday, January 26, 1970 to refer the resolution to the Committee on Ways and Means.

Debate ensued.

POINT OF ORDER

Senator Woodall: "I believe there is a motion to commit before the body, and there are no instructions contained in that motion. I think it is nondebatable, and the proper thing is to vote 'Yes' or 'No' on it and find out whether it is still before the body."

RULING BY THE PRESIDENT

The President: "The President's ruling upon your point of order, Senator Woodall, believes that the motion is debatable and with instructions opens up the main question."

REMARKS BY SENATOR WOODALL

Senator Woodall: "Thank you, Mr. President. My point is that a discussion as to the merit is certainly not in order at this juncture. The only subject is whether or not it should go to the particular committee."

REPLY BY THE PRESIDENT

The President, "Senator Woodall, you are correct."

There being no objections, Senator Williams withdrew his motion.

The Senate resumed consideration of Senate Resolution 1970-EX-12.

On motion of Senator Lewis (Brian), the following amendment was adopted:

On page 2, line 5, after "That" strike all the matter down to and including "that" on line 10.

The motion by Senator Washington carried and the resolution as amended was adopted.

SECOND READING

SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

Creating a department of pollution control.

MOTION

On motion of Senator Greive, Senate Bill No. 1 was ordered to hold its place on the second reading calendar for Wednesday, January 28, 1970.

ENGROSSED SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

The Senate resumed consideration of Engrossed Senate Bill No. 86 on second reading.

On motion of Senator Stortini, the following amendment to the title was adopted:

On page 1, beginning on line 2 of the title, after "tem;" strike all the matter down through and including ".361;"

On motion of Senator Stortini, the rules were suspended, Engrossed Senate Bill No. 86 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator McCutcheon: "Will Senator Williams yield? What is in the fund? You say they are amply, actuarially sound as I gathered from what you said."

Senator Williams: "Senator McCutcheon, the cost of this bill is about three to four million dollars for the state agencies. The earnings in the fund have increased by a sufficient amount to cover that. The bill is fairly conservative because we have not tried to project ahead the other thought and it would take care of building and ongoing costs of civilian increases from here on out. This would have presented a greater funding problem, so we have not done that. By reason of dealing with just the problem cases, which are those already retired, the costs will be in the three to four million dollar neighborhood, which can be funded out of the fact that yields have increased in the fund."

Senator McCutcheon: "This does not affect the retired?"

Senator Williams: "It is already retired public employees, the members of the Public Employees' Retirement System."

Senator McCutcheon: "It does affect them?"

Senator Williams: "Yes, it does give them the increase since they retired to now, and the cost of living is covered by an increase in the same proportion in their benefits."

Senator Peterson (Ted): "Will Senator Williams yield? You made a statement that the funds are actuarially sound and that through proper investments we have brought them up to a higher maximum. Could you give us any idea as to percentage-wise how much more money through the enactment of the legislation we had here in the last session allowing them to invest properly. Is that what has helped us out?"

Senator Williams: "The legislation last session dealt with the authority to put a limited amount of the funds into common stocks. The state pension funds are just now starting into that. It involves selection of investment counsel, which they had to do meeting certain statutory requirements; and they have been doing that in the period since then. I think they are just now starting to invest a small amount in common stocks, so that as yet has not had an impact on this."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell),

Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Greive, Talley—2.

Excused: Senators Herr, Keefe—2.

ENGROSSED SENATE BILL NO. 86, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT MEMORIAL NO. 8, by Senator Henry:

Urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington.

MOTION

On motion of Senator Henry, Senators Odegaard and Durkan were added as additional sponsors to Senate Joint Memorial No. 8.

The memorial was read the second time in full.

On motion of Senator Henry, the rules were suspended, Senate Joint Memorial No. 8 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Henry yield? Senator, have you any information as to why this chemical is any safer in Hermiston than it is in Okinawa?"

Senator Henry: "No, but my general reaction is that the Asians over there with part of the deal did not feel safe with it because rumor has it there were two or three incidents involved. We cannot get any answer out of the Pentagon."

Senator Canfield: "A further question, is this the same type of chemical which was accidentally released in Utah?"

Senator Henry: "Yes, my understanding is this is one of the same types of gases. I might add one further word that with all of the islands that we seem to have scattered around the globe I see no reason why they have to bring this right down a narrow rocky gorge with a one-line railroad on the Washington side and take it over and put it in Hermiston. They say 'Well we transport dangerous chemicals every day.' That may be true, but this particular type of chemical is something like this world has never seen before."

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8, and the memorial passed the Senate by the following vote: Yeas, 38; nays, 2; absent or not voting, 7; excused, 2.

Voting yea: Senators Andersen, Bailey, Canfield, Cooney, Day, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Henry, Holman, Huntley, Knoblauch, Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—38.

Voting nay: Senators Lewis (Brian), Metcalf—2.

Absent or not voting: Senators Atwood, Connor, Donohue, Foley, Guess, McCormack, Sandison—7.

Excused: Senators Herr, Keefe—2.

SENATE JOINT MEMORIAL NO. 8, having received the constitutional majority, was declared passed.

SENATE BILL NO. 130, by Senators Talley, Atwood and Bailey:

Allowing deposit of certain materials removed from harbor and channel improvement on private land.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Senate Bill No. 130 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator McCormack: "Will Senator Talley yield? Senator Talley, what would be the effect of the objection of a private landowner to having this material deposited? Could he object?"

Senator Talley: "Oh yes, it has to be a mutual agreement. You cannot put it on a man's land without his permission."

Senator Ridder: "Will Senator Talley yield? Let's say this were in Hood Canal and you were cleaning out the bottom and putting it on private land with the consent of the owner. Would it be possible then to use this land for building purposes, for rezoning once it has been filled in?"

Senator Talley: "Senator Ridder, I do not quite follow your question. I am sorry."

Senator Ridder: "Well, we could take tidelands, fill them, by this means extend them out into the channel by filling them, and then rezone them for building. Would it be possible to do this?"

Senator Talley: "I think it would probably be possible; but if there are any public lands in the area, you could not put it on private land. It is only when there is no public land available."

Senator Ridder: "Would this have anything to do with changing zoning or altering the zoning possibilities?"

Senator Talley: "I would say no. I do not know how it would unless you went through a county planning agency and so forth like that. This bill has nothing to do with that at all."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 130, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Voting nay: Senator Ridder—1.

Excused: Senators Herr, Keefe—2.

SENATE 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.

MOTION

At 2:10 p.m., on motion of Senator Bailey, the Senate recessed until 2:50 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:50 p.m.

SECOND READING

SENATE BILL NO. 61, by Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren:

Authorizing counties to acquire and develop open space and health facilities.

JOURNAL OF THE SENATE

REPORT OF STANDING COMMITTEE

January 22, 1970.

SENATE BILL NO. 61, authorizing counties to acquire and develop open space and health facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 10, after "any highway:" and before "PROVIDED" insert "PROVIDED, That the approval of the state highway commission shall be first secured for such use and development of any state highway:," and on line 10, after "PROVIDED" and before ", That" insert "FURTHER"

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Canfield, Elicker, Faulk, Francis, McDougall, Peterson (Ted), Ridder, Stortini.

The bill was read the second time by sections.

On motion of Senator Williams, the committee amendment was adopted.

On motion of Senator Gissberg, the following amendment was adopted:

On page 8, section 7, line 13, after "of" and before "establishing" insert "planning, designing,"

Senator Mardesich moved adoption of the following amendment:

On page 9, beginning on line 33, strike new section 12 and renumber the following sections consecutively.

Debate ensued.

POINT OF INQUIRY

Senator Lewis (Brian): "Will Senator Mardesich yield? Senator, I raised the question about this section in our caucus; and nobody could give me a specific answer. There may be some merit to it. Would you have any objection, Senator, if this matter were held over for a day while perhaps we could be provided with some justification for it?"

Senator Mardesich: "I have no objection because the same question arose in our caucus, and there was no satisfactory explanation at that time."

MOTION

On motion of Senator Lewis (Brian), Engrossed Senate Bill No. 61 was ordered to hold its place on the second reading calendar for Wednesday, January 28, 1970.

SECOND READING

SENATE BILL NO. 145, by Senators Williams, Ridder and Elicker (by Public Pension Commission request):

Providing post retirement benefit increases for fire fighters and police officers.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 145, providing post retirement benefit increases for fire fighters and police officers (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 4, line 21, after "taxes" and before "." insert "or appropriate at least ten million dollars for distribution to cities and towns for the remainder of the 1969-71 fiscal biennium"

Signed by: Senators Stortini, Chairman; Connor, Faulk, Matson, Ridder, Stender.

The bill was read the second time by sections.

On motion of Senator Stortini, the committee amendment was adopted.

On motion of Senator Stortini, the rules were suspended, Engrossed Senate Bill No. 145 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Wilson: "Will Senator Williams yield? Did I understand you to say this has no present or future impact on the state general funds?"

Senator Williams: "That is entirely borne by the cities. This deals with the policemen and firemen who are already retired. They are retired earlier, so they are not covered by the law enforcement act we passed during last session. It is entirely a city responsibility."

Senator Wilson: "Has the financial impact on the cities been estimated?"

Senator Williams: "Yes, it is about one and a half million dollars. That is why they have the provision in the bill that the act will be null and void unless this session of the legislature either gives the cities authority to levy taxes or unless we make an appropriation to the cities."

Senator Wilson: "If I may ask another question, is that four and a half million dollars. . . ."

Senator Williams: "No, it is about one and a half million dollars."

Senator Wilson: "One and a half a year or a biennium?"

Senator Williams: "I believe it is a biennium. It would be a declining figure because it just only applies to the already retired whose numbers decline over the years."

Senator Canfield: "Will Senator Williams yield? Senator, I am pleased to see that this has been endorsed apparently by the Public Pension Commission, which we created. We have been in the habit in this legislature, as you know, of giving added fiscal responsibilities to cities and towns. My direct question to you is this, is this approved by the cities?"

Senator Williams: "I am sure they have formally approved it. They did not like the idea of an additional burden, but when we put the amendment on, the qualification we would have to give them aid, I heard no objection from the cities."

Senator Canfield: "You would say then that they approve this bill?"

Senator Williams: "In substance I would say as far as I know, yes."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 145, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Elicker, Herr—2.

ENGROSSED SENATE BILL NO. 145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 120, by Senators Mardesich and Dore:

Prohibiting attorney general from practice of law in his private capacity as attorney.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 120, prohibiting attorney general from practice of law in his private capacity as attorney (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7, strike all of section 1 and insert the following:

"NEW SECTION. Section 1. There is added to chapter 8, Laws of 1965 and to chapter 43.10 RCW a new section to read as follows:

No attorney general shall practice law for remuneration in his private capacity:

(1) As an attorney in any court of this state during his continuance in office, or

(2) As adviser or advocate for any person who may wish to become his client.

Violation of this section shall be a high crime and grounds for impeachment under Article V, Sections 1 and 2 of the State Constitution."

On page 1, following section 1, insert a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 8, Laws of 1965 and to chapter 43.10 RCW a new section to read as follows:

No full time assistant attorney general shall practice law for remuneration in his private capacity:

- (1) As an attorney in any court of this state during his continuance in office, or
 (2) As adviser or advocate for any person who may wish to become his client.

Renumber remaining sections consecutively.

On page 2, section 3, beginning on line 2, strike all of the material down to and including "43.10.060, when" on line 3, and insert "When"

On page 2, section 3, line 6, after "attorneys" and before "law" strike "shall not be estopped from practicing" and insert "may practice"

On line 1 of the title, after "general" strike all of the material down to and including "his" on line 2 and insert "and full time assistant attorneys general from practice of law in their"

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

Senator Dore moved adoption of the committee amendments.

POINTS OF INQUIRY

Senator Lewis (Harry): "Will Senator Dore yield? Senator Dore, I realize I am stretching things a little bit here, but it is my understanding that you are discouraging publicly paid attorneys from practicing private law. Is that correct?"

Senator Dore: "Yes, sir."

Senator Lewis (Harry): "I realize you have restricted this in your legislation to the Attorney General's office, and so I am asking you for a feeling, an opinion really. Would you feel that it would be proper for attorneys in other public agencies being paid with public funds to practice privately?"

Senator Dore: "Senator, answering your question, I think we have to take each county separately. In some counties the prosecuting attorney is a part-time job and he has to practice privately in order to make a minimum standard of living. I think the Attorney General's office is the largest law firm in the state. He has over one hundred thirty-five attorneys on the staff, and that was the thinking behind this. Senator Mardesich is the chief sponsor of this measure, and he asked me to co-sponsor it with him. That was his thinking on it."

Senator Lewis (Harry): "Senator Dore, if I might ask you to yield to one further question, or if Senator Mardesich would care to respond to this — and I am just asking for a response — I am aware of a number of attorneys or some attorneys working for public agencies here in Thurston county who are being paid on state payrolls — and I am not naming specific agencies because I am not sure today just which ones are doing it. It has been brought to my attention in the past, and I am just merely asking for an opinion from you stretching a point because this has been so clearly brought to light here. What is your opinion about attorneys, for example, working for the department of institutions or department of public assistance who work in a private practice?"

Senator Dore: "Are you talking about students going to law school at full salary like in the department of public assistance?"

Senator Lewis (Harry): "Senator Dore, I was not trying to get political. I was talking really about a problem that has plagued the Thurston county private attorneys here and thought you might care to respond on it for the record."

Senator Dore: "I think the response on a formal note is this that the Attorney General has submitted a complete slate of salary schedules for various classes of attorneys from one through five. I think he has a very attractive schedule of salaries. I think at the end of the second year of the biennium there will be four or five of them drawing twenty-nine thousand dollars a year even though he himself is only authorized twenty-three. I have gone through the schedule, and I think it is very competitive with private practice. Probably in the local community here, the private attorneys will be happy to learn they are not in competition with the other attorneys general in private practice."

Senator Lewis (Harry): "Thank you."

Senator Washington: "Will Senator Dore yield? In order to properly ask the question, I do have to preface it with a brief statement. The Grant county public utility district and other districts are currently engaged in an action against Mr. O'Connell and Mr. Alioto for the return of fees paid. I at one time entertained the idea of legislation on this particular point. The attorney for the Grant county public utility district called me and suggested that the legislation that I had in mind might possibly weaken the action which they contemplated in that it might indicate that we were taking a position that the action of the Attorney General were not in violation of the law at the time they were taken. My question is this, is it not your intention in this bill to codify and make clear what already appears to be the law, that this legislation is intended to codify the law and is not intended to indicate that what was done in practicing additionally was not against the law at the time it was done?"

Senator Dore: "In answer to your question, Senator — and I do not know if I am capable of answering an extremely complicated factual situation which you presented — last Friday in the Supreme Court I did argue the retroactivity of the statute. I assume this is the issue raised here, whether or not the passage of this act might reflect back to sometime before. Isn't that your question?"

Senator Washington: "No."

Senator Dore: "I would say in answer to your question, it would not. It would merely be proscriptive in nature looking forward and have application only forward, and it was the intention as I understand it from Senator Mardesich not to effect this lawsuit whatsoever but merely to clarify the law and provide for this provision for all times in the future because apparently there have been a number of assistants that have had private law practices. Maybe this was justified when the salaries were not competitive, but now I think under the salary schedule of the present Attorney General they are quite competitive if not superior to what the local attorneys are making. I think with most of them located here in this area Senator Lewis was concerned that they would be competing with those in private practice; and, of course, he was most anxious to probably pass this act for that reason. That is why I join with Senator Mardesich in this bill."

Senator Washington: "I must pursue this matter further. There is apparently a decision of the Supreme Court that indicates that the practice carried on by the Attorney General was not proper, and it is on this basis that the suit of Grant county P.U.D. is being weighed. This bill which you are proposing does not in any way, I take it, attempt to indicate that the present law would approve of the actions of the Attorney General and Mr. Alioto."

Senator Dore: "I cannot entirely answer your question, Senator. I will say this; I do not agree with you on my propriety in making a comment one way or the other on your remarks. I think that is now in the bosom of the courts. It is not before this body, and I do not think it would be proper for me to make any comment one way or the other. I do not choose to do so."

Senator Gissberg: "As chairman of the Judiciary Committee, I would like the privilege of answering the question. We discussed that very thing in the Judiciary Committee and it was the intention of the people who were present in the Judiciary Committee at the time the bill was considered. . . . In deference to Senator Dore, I do not believe he was present at the time this bill was considered, therefore, the disability that he is having in not answering the question. The Judiciary Committee determined in their minds that, one, there was no intention to do so as you have suggested and, secondly, we felt that it would not do so as a matter of law."

Senator Washington: "Then I take it by your answer that this bill would not in any way indicate that the action done prior to the enactment of this bill was legal and proper?"

Senator Gissberg: "We do not intend to in any way interfere with the law as it was prior to the passage of this act and do not intend to by anything that we do in connection with the passage of this act attempt to change the law as it was nor to provide any arguments in the court that are already there. I do not know how else I can put it. If you want to ask me again, I will try to take another run at it."

MOTION

On motion of Senator Washington, Senate Bill No. 120 and the pending committee amendments were ordered to hold their place on the second reading calendar for Wednesday, January 23, 1970.

SECOND READING

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe and Twigg:

Deleting prohibition against lotteries.

Senators Keefe, McCutcheon and Walgren demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Herr who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The resolution was read the second time in full.

Senator Williams moved adoption of the following amendment by Senators Pritchard and Williams:

On page 1, beginning on line 8, restore "[authorize any lottery or]" and on line 9, after "divorce" and before the period insert:

"*PROVIDED, HOWEVER, That nothing herein shall prevent the legislature from authorizing any corporation sole, fraternal society, grange, agricultural fair, or any non-profit corporation organized for charitable, benevolent, eleemosynary, educational,*

civic, patriotic, political, religious, social, fraternal, athletic or agricultural purposes only, which has been organized and is operated primarily for purposes other than the operation of bingo and raffles; to conduct bingo when no consideration in excess of a maximum to be set by the legislature is accepted, when said game is conducted by a bona fide charitable or non-profit organization which does not conduct or allow its premises to be used for conducting bingo on more occasions per year than set by the legislature, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game; and raffles when prizes are awarded on the basis of a drawing by the person or persons conducting the raffle, when said raffle is conducted by a bona fide charitable or non-profit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said raffle including the sale of tickets, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said raffle."

Debate ensued.

On motion of Senator Walgren, the amendment was laid upon the table on a rising vote.

Senator McCormack moved adoption of the following amendment:

On page 1, line 9, after "any divorce," insert:

"The legislature shall never authorize any lottery, other than (1) a lottery operated by the state, its political subdivisions, or their agents solely for the purpose of raising public revenue; or (2) a lottery which is operated (a) solely by a person, firm, or corporation engaged primarily in this state in the business of making retail sales of tangible personal property, and (b) solely for the purpose of providing an inducement for such retail sales; or (3) a lottery, all proceeds from which are used exclusively for charitable, educational, historic, or public service purposes, as such purposes are defined by the legislature."

Debate ensued.

On motion of Senator Woodall, the amendment was laid upon the table on a rising vote.

On motion of Senator Walgren, the rules were suspended, Senate Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

Senators Peterson (Lowell), Talley and Francis demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 6, and the resolution passed the Senate by the following vote: Yeas, 39; nays, 9; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—39.

Voting nay: Senators Andersen, Faulk, Huntley, Lewis (Brian), Metcalf, Peterson (Ted), Pritchard, Washington, Williams—9.

Excused: Senator Herr—1.

SENATE JOINT RESOLUTION NO. 6, having received the constitutional two-thirds majority, was declared passed.

MOTION

On motion of Senator Woodall, Senate Joint Resolution No. 6 was ordered immediately transmitted to the House.

SECOND READING

SENATE BILL NO. 27, by Senators Francis, Durkan and Greive:
Relating to the age of majority.

REPORT OF STANDING COMMITTEE

January 22, 1970.

SENATE BILL NO. 27, relating to the age of majority (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, beginning on line 3, strike all of subsection (5) and renumber the remaining subsections consecutively.

On page 2, section 1, line 12, after "state" and before the period insert "*without the necessity for a guardian ad litem*"

On page 2, section 2, line 17, beginning with "males" strike "males of the age of [twenty-one] *eighteen* years, and females" and insert "[males of the age of twenty-one years, and females] *persons*"

On page 3, beginning on line 5, strike all of new section 4, and sections 5 and 6 and renumber remaining section.

On page 6, section 7, line 19 after "insurance" and before the period strike "*like any other adult person*"

On page 6, following section 7, add a new section as follows:

"NEW SECTION. Sec. 4. Sections 13 and 14, page 83, Laws of 1866 as last amended by section 4, chapter 230, Laws of 1963 and RCW 26.04.210 are each amended to read as follows:

The county auditor, before a marriage license is issued, upon the payment of a license fee of two dollars, shall require each applicant therefor to make and file in his office upon blanks to be provided by the county for that purpose, an affidavit showing that such applicant is not feeble-minded, an imbecile, insane, a common drunkard, or afflicted with pulmonary tuberculosis in its advanced stages: PROVIDED, That in addition, the affidavit of the male applicant for such marriage license shall show that such male is not afflicted with any contagious venereal disease. He shall also require an affidavit of some disinterested credible person showing that neither of said persons is an habitual criminal, and that the [female is over] *applicants are the age of eighteen years or over* [and the male is over the age of twenty-one years]: PROVIDED, FURTHER, That if the consent in writing is obtained of the father, mother, or legal guardian of the person for whom the license is required, the license may be granted in cases where the female has attained the age of seventeen years or the male has attained the age of seventeen years. Such affidavit may be subscribed and sworn to before any person authorized to administer oaths. Anyone knowingly swearing falsely to any of the statements contained in the affidavits mentioned in this section shall be deemed guilty of perjury and punished as provided by the laws of the state of Washington."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Foley, Francis, Holman, McCormack, Ridder, Twigg, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment to page 2, section 1, beginning on line 3.

Debate ensued.

POINTS OF INQUIRY

Senator Stender: "Will Senator Woodall yield? Senator, I followed your remarks very closely, and I might very well agree with your position. To pursue that just a little further, if the constitutional amendment is passed by the people allowing voting at eighteen, wouldn't it then allow an eighteen year old to serve in the legislature, or in other public office in this state?"

Senator Woodall: "No, because we still would set the qualifications for the office. We can set any age we want for the given offices. For example, a United States senator has to be thirty irrespective of what the vote of the people of the given state is; a member of the House has to be twenty-one nationally. Likewise by this measure, we are saying he has enough judgment and discernment to sit in judgment of someone else on a drunken driving case; but we say he does not have enough discernment to buy a drink for himself. To me that is a little bit inconsistent, and it was the thinking of the Judiciary Committee not to have them as jurors."

Senator Stender: "Our Constitution now provides that twenty-one is the voting age. If this amendment that is being proposed, SJR 4 were to pass, Senator, would that change the voting age to eighteen or the right to hold office at eighteen?"

Senator Woodall: "No, it would not change the right to hold offices necessarily. In and of itself, it would take enabling legislation. We can set any minimal age that we want to hold office. For example, we can provide that a judge must have been a lawyer for so many years."

Senator Stender: "Excuse me, Senator, doesn't the Constitution now provide twenty-one as the minimum legal age for holding office, say a position in the legislature?"

Senator Woodall: "Yes."

Senator Stender: "Would it require a constitutional amendment to change that?"

Senator Woodall: "Yes, and changing it in one place would not automatically change it in the other; so passing this law, you would have a ridiculous situation where the proposed constitutional amendment, which the House has passed, said you can vote at nineteen but you can sit in judgment of your fellow man at eighteen. You can try a man for a drunken driving case at eighteen, but you cannot buy a drink yourself until you are twenty-one. That would be kind of silly, so it was the thinking again of the Judiciary Committee that they not be made jurors at the tender age of eighteen."

Senator Canfield: "I would like to point out to Senator Stender that the report of the Constitutional Revision Committee does provide that any qualified elector may hold public office. Since they recommend the age of eighteen, if that were accepted, then an eighteen year old could be elected to any public office."

Senator Ridder demanded a roll call. The demand was not sustained.

The motion carried and the committee amendment to page 2, section 1, beginning on line 3 was adopted.

On motion of Senator Gissberg, the committee amendments to page 2, sections 1 and 2; page 3 and page 6, section 7, line 19 were adopted.

Senator Gissberg moved adoption of the committee amendment to page 6, following section 7.

On motion of Senator Francis, the following amendment to the committee amendment to page 6, following section 7 was adopted:

On line 2 of the second paragraph of new section 4, after "fee" strike "of two dollars," and insert "[of two dollars] as fixed in RCW 36.18.010"

The motion by Senator Gissberg carried and the amendment as amended was adopted. Senator Metcalf moved adoption of the following amendment:

Add a new section to the bill to be known as Section 6, to read as follows:

Sections 1, 3, and 4 of chapter 126, Laws of 1895, as last amended by Section 1, chapter 17, Laws of 1919, formerly codified as RCW 26.08.080, RCW 26.08.090, and RCW 26.08.100, now codified as RCW 26.28.080 are each amended to read as follows:

"Every person who:

(1) Shall admit to or allow to remain [in any concert saloon, or] in any place owned, kept, or managed by him where intoxicating liquors are sold, given away or disposed of—except a restaurant or dining room, any person under the age of [twenty-one] *eighteen* years; or,

(2) Shall admit to, or allow to remain in any [dance house, public pool or billiard hall, or in any] place of entertainment injurious to health or morals, owned, kept or managed by him, any person under the age of [twenty-one] *eighteen* years; or,

(3) Shall suffer or permit any [such] person to play any game of skill or chance, in any such place, or in any place adjacent thereto, or to be or remain therein, or admit or allow to remain in any reputed house of prostitution or assignment, or in any place where opium or any preparation thereof, is smoked, or where any narcotic drug or *dangerous drug* is used [, any person under the age of twenty-one years]; or,

(4) Shall sell or give, or permit to be sold or given to any person under the age of [twenty-one] *eighteen* years any intoxicating liquor, cigar, cigarette, cigarette paper or wrapper, or tobacco in any form; or,

(5) Shall sell, or give, or permit to be sold or given to any person under the age of eighteen years, any revolver[,] or pistol[, or toy pistol];

Shall be guilty of a gross misdemeanor.

It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

Any person [between the ages of] *under the age of eighteen* [and twenty-one] years who shall by affirmative misrepresentation of age, purchase, or shall have in his or her possession, any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form, shall be guilty of a misdemeanor."

Debate ensued.

POINT OF INQUIRY

Senator Francis: "Will Senator Metcalf yield? Senator Metcalf, have you read Senate Bill No. 160?"

Senator Metcalf: "I have not read it all and completely, no."

Further debate ensued.

POINT OF INQUIRY

Senator Knoblauch: "Will Senator Metcalf yield? Senator Metcalf, are you suggesting in this amendment that an eighteen year old should be able to go into a cocktail bar or tavern and buy beer?"

Senator Metcalf: "Mr. President, I am suggesting by this amendment that if we are going to grant the rights of citizenship to people at the age of eighteen then I think we should grant them all the rights of citizenship. Responding to the point on the technical imperfections of this, I was prepared to move and if given an opportunity I will move to hold this bill until tomorrow for this reason. I went to the caucus attorney, and I said I would like to have you draw an amendment which would grant all the rights of citizenship at age eighteen. This is what he came up with, and I have no particular idea of the technical imperfections here. If you give us until tomorrow, I will take your bill if you want it put that way; and I will offer it as a substitute amendment to do the whole job if you want to hold it over until tomorrow."

Senator Knoblauch: "Mr. President, I still want a direct answer. Senator Metcalf, are you suggesting that an eighteen year old should be allowed to go into a beer tavern or cocktail lounge and partake of refreshments?"

Senator Metcalf: "No, I am not, Senator Knoblauch. I would vote against that, but I think we should be honest with the people. I think we should do the thing or not do it. I am very much opposed to it, and I will oppose allowing the eighteen year old to go into the cocktail lounge and so forth. I think that we had best be honest with them. If we are going to do it, let's do it. Personally, I think that it would be a very grave mistake."

MOTIONS

Senator Woodall moved that Engrossed Senate Bill No. 27 hold its place on the second reading calendar for Thursday, January 29, 1970.

Debate ensued.

Senator Greive moved that the motion by Senator Woodall be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Dore, Metcalf, Durkan, Knoblauch, Gissberg, McDougall, Marquardt, Keefe, Ridder and McCormack.

ROLL CALL

The Secretary called the roll and the motion by Senator Woodall lost by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Foley, Francis, Gissberg, Greive, Henry, Holman, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Odegaard, Peterson (Lowell), Pritchard, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—29.

Voting nay: Senators Andersen, Atwood, Canfield, Day, Elicker, Faulk, Guess, Huntley, Lewis (Brian), McDougall, Matson, Metcalf, Newschwander, Peterson (Ted), Ryder, Stender, Twigg, Williams, Woodall—19.

Excused: Senator Herr—1.

Further debate ensued.

On motion of Senator McCormack, the amendment by Senator Metcalf was laid upon the table.

Senator Francis moved that the rules be suspended, Engrossed Senate Bill No. 27 be advanced to third reading, the second reading considered the third and the bill be placed on final passage.

Senator Francis demanded a roll call and the demand was sustained by Senators Washington, Atwood, Guess, Canfield, McCormack, Dore, Stender, Greive, Odegaard, and Peterson (Lowell).

ROLL CALL

The Secretary called the roll and the motion to advance Engrossed Senate Bill No. 27 to third reading carried by the following vote: Yeas, 31; nays, 17; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Holman, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Marquardt, Odegaard, Peterson (Lowell), Pritchard, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—31.

Voting nay: Senators Andersen, Atwood, Canfield, Guess, Huntley, Lewis (Brian), Lewis (Harry), McDougall, Matson, Metcalf, Newschwander, Peterson (Ted), Ryder, Stender, Twigg, Williams, Woodall—17.

Excused: Senator Herr—1.

The motion by Senator Francis carried and Engrossed Senate Bill No. 27 was advanced to third reading.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 4:20 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Wednesday, January 28, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 28, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gissberg, Herr and Woodall. On motion of Senator Atwood, Senator Woodall was excused. On motion of Senator Henry, Senator Gissberg was excused. On motion of Senator Donohue, Senator Herr was excused.

The Color Guard, consisting of Pages Don Freed, Color Bearer, and Darla Knowles, presented the Colors. Reverend Walter MacArthur, pastor of United Methodist Church of Olympia, offered prayer as follows:

"As the morning comes again, Great God, cleanse our eyes of darkness that we may see Thee in the center and circumference of all we do. Our tasks and responsibilities are not easy and our performance of duty will not always be appreciated because we choose to live at the gnawing edge of the future, always seeking the better, higher, more perfect. Save us from all spurious appearances of truth, strengthen us for not only dreams but deeds that shall outlast our fears and anxieties. Amen."

On motion of Senator Bailey, the reading of the journal of the previous day was dispensed with and it was approved.

PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate and ladies and gentlemen: The President at this time should like to exercise the pleasure of presenting one of the finest men it has ever been the privilege of the President to know. This fine gentleman is the former protegee of the President at the University of Washington. His name is Mr. Arnie Weinmeister. He is one of the all-time football greats in University of Washington history and went on from there to become one of the best, if not the greatest, tackle in the history of National League football. Those are very fine attributes but the qualities that exist in this man's character are what make him truly a fine man. Arnie is one of the true leaders of the labor movement at the present time and is recognized as one of the leading citizens of the Pacific Northwest as well as the United States of America. Arnie Weinmeister."

REMARKS BY SENATOR DURKAN

Senator Durkan: "Early in life Mr. Weinmeister exhibited great judgment. He was the roommate of one of the outstanding public officials of this state while in college. He is one of the great people of all times and this public official is from Issaquah. And a great fraternity man too. I can remember two of us in a room six-by-six—no stipends. We welcome you here today, Arnie."

REPORTS OF STANDING COMMITTEES

January 27, 1970.

SENATE BILL NO. 19, establishing day care centers in Class AA and Class A Counties (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Faulk, Metcalf, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 52, creating a department of social and health services (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, McCutcheon, McDougall, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 58, restricting use of waterfront lands and providing for the acquisition of scenic easements (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Matson, Metcalf, Odegaard, Peterson (Ted), Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 68, relating to abortion and providing for a referendum (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Durkan, Francis, Holman, McCormack, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 99, allowing the fingerprinting of juveniles when suspected of a felony (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 99 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Andersen, Atwood, Durkan, Foley, Francis, Holman, Ridder, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 101, establishing procedures and setting requirements for possession of poisonous and dangerous drugs (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Andersen, Atwood, Durkan, Foley, Francis, Holman, Ridder, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 105, permitting director of institutions to enter into agreements for providing rehabilitation services (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Cooney, McDougall, Newschwander, Odegaard, Peterson (Lowell), Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 146, authorizing the sale of bonds at the rate of interest considered by the issuing authority to be commensurate with current market conditions (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 146 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCutcheon, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 161, creating a state board of examiners for licensing of nursing home administrators (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: That Substitute Senate Bill No. 161 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, McCutcheon, McDougall, Newschwander, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 164, creating investment of contractor's retained percentage on public works contracts (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCutcheon, Marquardt, Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 226, renumbering the state highway routes (reported by Committee on Highways):

MAJORITY recommendation: That Substitute Senate Bill No. 226 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Bailey, Connor, Dore, Elicker, Faulk, Foley, Guess, Huntley, Keefe, Lewis (Brian), McDougall, Marquardt, Matson, Pritchard, Ridder, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 228, providing for appointment of state toxicologist and laboratory funds (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, McCutcheon, McDougall, Newschwander, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 236, providing for acceptance of certain certificate of successful examination or proficiency in lieu of taking examination for certain healing professions (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Elicker, Holman, Keefe, McCutcheon, Newschwander, Odegaard.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 261, enabling inmates of county or city jail detention facilities to receive public assistance (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Durkan, Foley, Holman, McCormack, Ridder, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 277, regulating mobile homes, commercial coaches and/or recreational units (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Faulk, Matson, Metcalf, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENT

January 27, 1970.

WILLIAM C. JACOBS, to the position of Director of the Department of Labor and Industries, appointed by the Governor on August 16, 1969 for the term ending at the Governor's pleasure, succeeding Harold Petrie (reported by Committee on Labor and Social Security):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Faulk, Matson, Metcalf, Ridder.

Passed to Committee on Rules and Joint Rules.

LETTER OF INFORMATION

January 28, 1970.

HONORABLE JOHN CHERBERG,
PRESIDENT OF THE SENATE,
LEGISLATIVE BUILDING,
OLYMPIA, WASH. 98501

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bill to the full Committee on Ways and Means:

*SENATE BILL 7: Real property tax deferral, retired persons.

Sincerely,
MIKE McCORMACK, Chairman
Revenue and Taxation.

*Amended

MESSAGE FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENT

January 27, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Board of Trustees, Community College District No. 3 (Olympic), subject to your confirmation:

John Strachan, appointed January 26, 1970 for a term ending April 3, 1971, succeeding Jay Hamilton.

Sincerely,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE HOUSE

January 27, 1970.

Mr. President: The House has passed:
ENGROSSED HOUSE BILL NO. 27,
HOUSE BILL NO. 34,
HOUSE BILL NO. 35,
HOUSE BILL NO. 36,
HOUSE BILL NO. 37,

HOUSE BILL NO. 38,
 HOUSE BILL NO. 39,
 HOUSE BILL NO. 40,
 HOUSE BILL NO. 41,
 HOUSE BILL NO. 42,
 HOUSE BILL NO. 88,

and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

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

Authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief.

Referred to Committee on Ways and Means—Revenue and Taxation.

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

Correcting code sections relating to revenue and taxation.

Referred to Judiciary Committee.

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

Correcting code sections relating to motor vehicles.

Referred to Judiciary Committee.

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

Correcting code sections relating to elections.

Referred to Judiciary Committee.

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

Correcting code sections relating to metropolitan municipal corporations.

Referred to Judiciary Committee.

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

Correcting code sections relating to state government.

Referred to Judiciary Committee.

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

Correcting code sections relating to intoxicating liquor.

Referred to Judiciary Committee.

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

Correcting code sections relating to public lands.

Referred to Judiciary Committee.

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

Correcting code sections relating to education code.

Referred to Judiciary Committee.

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

Updating repealer of old school code, effective when new education codes take effect.
Referred to Judiciary Committee.

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

Changing effective date of income tax reform package and providing income tax credit for property taxes.

Referred to Committee on Ways and Means—Revenue and Taxation.

MOTIONS

On motion of Senator Bailey, the motion for reconsideration of Engrossed Senate Joint Resolution No. 4 which failed to pass the Senate was made a special order of business for Thursday, January 29, 1970.

At 10:20 a.m., on motion of Senator Bailey, the Senate recessed until 11:20 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:20 a.m.

MOTIONS

On motion of Senator Atwood, Senator McDougall was excused.

On motion of Senator Andersen, Senator Peterson (Ted) was excused.

Senator Washington moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-13

By Senators Washington and McCormack:

WHEREAS, The budgets of many school districts in the state of Washington include funds provided for aid to federally impacted districts; and

WHEREAS, The veto of President Nixon of this bill will have a severe adverse impact on the education programs of these districts;

NOW, THEREFORE, BE IT RESOLVED, That if Congress does not override the veto of the President that the vetoed funds be restored by a new appropriations bill.

On motion of Senator Williams, the following amendment was adopted:

After "that the" in the last paragraph, strike the remaining material and insert "Congress appropriate funds to maintain the present program."

POINT OF INQUIRY

Senator McCutcheon: "Will Senator Washington yield? As I understand the 874 funds, they are being withheld by a possible veto or a failure to override it. Is that correct?"

Senator Washington: "There are funds in the present appropriation bill that are being withheld by executive order. What we are talking about is the present bill which will be authorizing funds for the next fiscal year. In other words the funds for the next fiscal year along with many other funds for HEW have been vetoed by the President. Unless additional legislation is enacted or unless the veto is overridden, there will be no funds for the coming fiscal year."

Debate ensued.

The resolution, as amended, was adopted.

SECOND READING

SENATE BILL NO. 120, by Senators Mardesich and Dore:

Prohibiting attorney general from practice of law in his private capacity as attorney.

The Senate resumed consideration of Senate Bill No. 120 on second reading and the motion by Senator Dore that the Judiciary Committee amendments be adopted.

Debate ensued.

The motion carried. The committee amendments were adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 120 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 120, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—44.

Absent or not voting: Senator Williams—1.

Excused: Senators Gissberg, Herr, McDougall, Woodall—4.

ENGROSSED SENATE 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.

SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

Creating a department of pollution control.

Senators Greive, Sandison and McCutcheon demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Gissberg, Herr, McDougall and Woodall, who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTIONS

On motion of Senator Atwood, Senate Bill No. 1 was ordered held on the second reading calendar for Thursday, January 29, 1970.

On motion of Senator Greive, the amendments by Senator Greive pending on the Secretary's desk will be considered in toto Thursday, January 29, 1970.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

SENATE BILL NO. 95, by Senators Mardesich, Walgren and Andersen:

Authorizing sound and video recordings in certain police activities.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 95, authorizing sound and video recordings in certain police activities (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 9, after "police" and before "in" strike "officers" and insert "and fire personnel"

On page 1, section 1, line 10, after "police" and before "stations" insert "and fire"

On page 1, section 1, line 12, after "caus" strike all of the material down to and including "purpose" on line 13

On page 2, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. Video and/or sound recordings obtained by police personnel under the authority of this act shall be made available for hearing and/or viewing by defense counsel at the request of defense counsel whenever a criminal charge has been filed against the subject of the video and/or sound recordings."

On page 2, following new section 2, add a new section as follows:

"NEW SECTION. Sec. 3. SEVERABILITY. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this chapter so adjudged to be invalid or unconstitutional."

On line 3 of the title, after "police" and before ";" strike "officers" and insert "and fire personnel"

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

On motion of Senator Andersen, the committee amendments to page 1 were adopted.

Senator Andersen moved adoption of the committee amendment to page 2, adding a new section following section 1.

POINT OF INQUIRY

Senator Greive: "Will Senator Andersen yield? Senator Andersen, I do not claim to speak for anybody but one senator in this case but I have some serious reservations on this bill. I wondered if you would not want a further amendment while we are still on second reading and before we adopt the amendment to provide that they could do any of these things provided the defense lawyer was present. I wonder what your attitude would be, and maybe we could work something out."

Senator Andersen: "Senator Greive, my feeling on that inquiry is that I believe the vast body of law which we now have promulgated principally by the supreme court, the Miranda, and some of the other opinions as far as warnings to be given to the defendant accused of a crime are concerned are very broad, very adequate, and at the present time are quite detailed.

I would hate to add in a statutory requirement in addition to the requirements the supreme court has already laid down, particularly inasmuch as the supreme court seems to be kind of flexible on some of these warnings that have to be given to defendants. I just do not want to. It might even be that the supreme court is going to say that this is going to be required, but I would hate to write this additional protection into the statute and add an additional protection in addition to the couple of hundred that we already have in this particular area.

My feeling would be, Senator Greive, that I do not think it would be a good amendment, that if something like that should be enacted it should go by way of a separate statute rather than an amendment going in here where we are trying to clear up an unduly rigid portion of the law. We have already backed way, way off on this and I do not see how there can be any objection to the bill the way we have it now. If we added that additional point that you are talking about by way of an amendment, it might well defeat the bill and I do think it should, if meritorious, proceed on its own merit rather than be hung onto this particular bill."

Senator Greive: "Senator, certainly you are familiar with the fact that frequently some police officers lie to this extent. They tell them that this thing is routine, that it is nothing to worry about; 'Fine let's get this out of the way, and then we will get to your bail' or 'We will call your lawyer' we will do this and that. They drone through something that is not fully appreciated by the person who is being interrogated. If you are going to interrogate him on video tape so the record can be preserved, don't you think in all fairness that if legal counsel is going to be accorded to him at any time that at that particular point he should have legal counsel to protect his rights?"

Senator Andersen: "I do not necessarily think that, Senator Greive, for this reason. I am familiar with cases—I know Senator Atwood is and some of the other senators that have been on both sides—on the prosecution side and the defense side, they are familiar with a number of cases—where the rights of the defendants have not only been not adversely affected by a recording but have been protected by a recording.

In other words if a police officer who is under this bill is required to admonish the defendant that he has a right to an attorney and give him the other warnings that are required by our law, if the officer says 'This is a matter of routine only, and we will not go into the details,' under this bill he is required to make these statements on the record itself. They will show on the record. In other words unless the police officer comes out and says 'You have a right to an attorney, and you have a privilege against self-incrimination, etc., etc. on the record, if he does not say that, and if the tape is made available automatically as a matter of right to defense counsel as provided by this amendment, then all a person has to do is move to suppress that particular piece of evidence because it is not in accordance with the law.

MOTION

On motion of Senator Greive, Engrossed Senate Bill No. 95 and the pending committee amendments were ordered to hold their place on the second reading calendar for Thursday, January 29, 1970.

SENATE BILL NO. 129, by Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell):

Providing for per diem for state officers and employees.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the rules were suspended, Senate Bill No. 129 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Talley: "Will Senator Lewis (Harry) yield? Senator Lewis, you do not think that we should amend this bill to make it compulsory to pay the twenty-five dollars?"

Senator Lewis (Harry): "Senator Talley, there is nothing that I would like more than to make this compulsory for twenty-five dollars for the reason that since you raised this question you are well aware of the costs in travel that the employees are taking out of their own pocket. However, I really, at this time, would not want to make it compulsory to twenty-five dollars for a very simple reason. I think it would impair the passage of the bill and I think we should take one firm step forward at a time. This is the step we should take."

Senator Dore: "Will Senator Lewis (Harry) yield? I noticed this didn't go through the Appropriations or Ways and Means Committee, and I just wondered what the financial impact of it was."

Senator Lewis (Harry): "There is no direct financial impact, Senator Dore. We have not requested any additional funding and that is the reason it did not go through your committee. This would operate within the present funding schedule and it would permit Walt Howe's office to use discretion within that framework. It would not provide for any additional costs or funding."

Senator Dore: "I understand you are not asking for any additional funds, but what is the financial impact in amending the statute assuming the same type and extent of activity existing under the present statute?"

Senator Lewis (Harry): "The financial impact for this biennium is zero. The financial impact next biennium if they were to raise the rate to what Senator Talley is describing is considerable. This is the reason that I did not want to make it compulsory. Walt Howe would be required to work within the same framework of the appropriation that we made last year."

Senator Dore: "Do you have a round figure or something you could give us what it would cost next biennium?"

Senator Lewis (Harry): "Yes, I would say in round figures, we would be talking about a two hundred seventy-five thousand dollar increase for out-of-state travel and approximately a million and a half to two million for the in-state increase if it were to go to twenty-five dollars, but that is not included at this time or intended to be."

Senator Dore: "Would you mind too much if I held this on the second reading calendar in order to have a chance to check with the budget director?"

Senator Lewis (Harry): "I have no objection if you would like to do that, Senator Dore."

Debate ensued.

POINT OF INQUIRY

Senator Bailey: "Will Senator Lewis (Harry) yield? Senator Lewis, this gives the budget director power to set the per diem. Is it our intent that he sets the same per diem for every department or are you going to have a varying per diem from one department to another?"

Senator Lewis (Harry): "Senator Bailey, I think what we are seeking to do is to give him some area of flexibility. The reason I say this, for example, is that the Department of Commerce is required many times to go to major cities. If a member of the Department of Commerce is required to go to Washington, D.C., I think we are all familiar with what the rate situation is there for room and board. If a forester is going to a rural county, his situation would be somewhat different. I think the important thing is that the budget director would be requested to give equal treatment to all employees from that standpoint that I have just described."

Senator Bailey: "In other words if you say it is going to be twenty-five dollars a day in one area, he can say twenty-five and the other department he can say 'No, you are only allowed fifteen.' Is this your intent or do you think it would not be more fair to give

standard, make the intent of the legislature to have a standard the same for all state employees?"

Senator Lewis (Harry): "That is the basic intent of the legislation, Senator Bailey, that which you just described."

Senator Bailey: "Keep it standard in every department for every employee?"

Senator Lewis (Harry): "Right, a uniform rate is what we are looking for. This rate, Senator Bailey, while we have given the option to go to twenty-five dollars I think we should all realize it will not go there during this interim. It could go to seventeen, twenty-two, or wherever the budget director would direct the agencies."

Senator Peterson (Ted): "Just what does the twenty-five dollars include?"

Senator Lewis (Harry): "The per diem expense, would all be included in this twenty-five dollar framework, Senator Peterson. The items that you mentioned would be included in the per diem. This flexibility would be left to the budget director and this is one of the purposes of putting it in his department but it would be a uniform procedure for all employees."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 129, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Excused: Senators Gissberg, Herr, McDougall, Woodall—4.

SENATE BILL NO. 129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SECOND READING

SENATE BILL NO. 132, by Senators Bailey, Gissberg and Peterson (Ted):
Implementing state teachers' retirement system provisions.

MOTION

On motion of Senator Bailey, Senate Bill No. 132 was ordered to hold its place on the second reading calendar for Thursday, January 29, 1970.

SENATE BILL NO. 204, by Senators Keefe, Twigg and Guess:

Relating to Spokane judges.

The bill was read the second time by sections.

On motion of Senator Twigg, the rules were suspended, Senate Bill No. 204 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator McCutcheon: "Will Senator Twigg yield? We have one and a half judges in Tacoma. Is that right?"

Senator Twigg: "That is what I was informed."

Senator McCutcheon: "I wonder where they sneaked that other one in. When? What salary do they get comparable?"

Senator Twigg: "I think in our city the municipal judge receives a salary of twenty thousand dollars a year."

Senator McCutcheon: "Is he also a justice of the peace?"

Senator Twigg: "Yes, he is."

Senator McCutcheon: "I see, but together it is twenty thousand. My old law partner, I thought, slipped that second one in so he could go to Arizona for his health in the winter."

Senator Twigg: "I think we have one full-time judge and one who serves half time on municipal matters only. That is my understanding."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 204, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Excused: Senators Gissberg, Herr, McDougall, Woodall—4.

SENATE BILL NO. 204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 18, by Senators Dore and Holman:

Providing minor students with capacity to borrow.

The bill was read the second time by sections.

On motion of Senator Holman, the following amendment by Senators Holman, Dore and Sandison was adopted:

On page 2, section 5, line 6 strike "1971" and insert "1970"

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 18 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

With the consent of the Senate, Senator Twigg was excused.

POINTS OF INQUIRY

Senator Canfield: "Will Senator Dore yield? Senator Dore, you speak of a student going to a bank. It does not say that in this bill. It says 'from any person.' Now suppose I want to loan money to the student; how am I suppose to know that I am supposed to get the legal document to make this enforceable?"

Senator Dore: "Senator, the same remarks I made in reference to a bank would also be made in reference to you if so were so goodhearted and so well-heeled to loan money to students to go to school."

Senator Canfield: "Banks generally have an attorney and people who look after those things pretty carefully; but I think you would be a little hesitant, wouldn't you, to ask a friend of yours to sign a note? Then you get a note from the college certifying that; would you know about that if you did not have a lawyer of your own?"

Senator Dore: "Senator, this act just merely provides that the minor can sign the instrument, and it is legally enforceable. Under the present law, it is not. It can be disaffirmed by the minor."

Senator Canfield: "Not unless the loaner gets the certification from the institution."

Senator Peterson (Ted): "Will Senator Dore yield? You referred to a low interest rate, Senator. What did you refer to? Is there a special dispensation for students?"

Senator Dore: "I see Senator Ryder there, and think of Washington Mutual. It may well be a high interest rate but I think in a number of cases banks as a part of their public service loan money sometimes at lower rates than the general rate in the community. It may not be the case with Washington Mutual; I do not know."

Senator Peterson (Ted): "I did not think this was the practice. Senator Ryder, can you fill him in?"

Senator Ryder: "Mr. President, Senator Dore knows very well that the lowest rates are at the Washington Mutual. Yes, Senator Peterson, the student loan is a federal insured program. They set the rate, which is set at seven percent at the moment. Loans of this type without being insured would probably be ten, eleven, twelve percent. As a matter of practice at the moment, the federal government has allowed the Department of Health, Education, and Welfare on a quarterly basis to increase that rate to as high as ten percent. At the moment they are paying a bonus of two percent, which would make it nine but the basic rate is seven."

Senator Canfield: "Will Senator Dore yield? I wonder if it wouldn't be easier for them to get a stipend."

Senator Dore: "If he happened to be fortunate enough to work for the Department of Public Assistance, I suggest that he apply to Mr. Smith to get a stipend. I think it would be a little easier financial arrangement to carry."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 18, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—43.

Absent or not voting: Senator Bailey—1.

Excused: Senators Day, Gissberg, Herr, Twigg, Woodall—5.

ENGROSSED SENATE BILL NO. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 275, by Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender:

Relating to unfair business practices.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Bill No. 275 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 275, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 1; excused, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—43.

Absent or not voting: Senator Pritchard—1.

Excused: Senators Day, Gissberg, Herr, Twigg, Woodall—5.

SENATE 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.

SENATE BILL NO. 11, by Senators Talley, Greive and Stortini:
Establishing payment schedules for industrial insurance.

MOTION

On motion of Senator Atwood, Senate Bill No. 11 was referred to the Committee on Ways and Means—Appropriations.

SENATE BILL NO. 297, by Senators Odegaard, Elicker and Marquardt:

Establishing the power of the director of the department of institutions to make rules and regulations concerning facilities, equipment, and personnel of the department.

The bill was read the second time by sections.

On motion of Senator Foley, the following amendments by Senators Foley and Atwood were adopted:

On page 2, following section 4, add two new sections as follows:

"NEW SECTION. Sec. 5. The school year for the state school for the blind and the state school for the deaf shall commence on the first day of July of each year and shall terminate on the 30th day of June of the succeeding year. The regular school term shall be for a period of nine months and shall commence as near as reasonably practical at the time of the commencement of regular terms in the public schools, with the equivalent number of days as are now required by law, and the regulations of the superintendent of public instruction as now or hereafter amended, during the school year in the public schools. The school shall observe all legal holidays, in the same manner as other agencies of state government, and the schools will not be in session on such days and such other days as may be approved by the director of institutions. During the period when the schools are not in session during the regular school term, schools may be operated, subject to the approval of the director, for the instruction of students or for such other reasons which are in furtherance of the objects and purposes of such schools.

Sec. 6. Section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030 are hereby repealed."

Renumber the remaining sections consecutively.

In line 4 of the title after the semicolon after "RCW" and before "and" insert "repealing section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030;"

On motion of Senator Odegaard, the rules were suspended, Engrossed Senate Bill No. 297 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 297, and the bill passed the Senate by the following vote: Yeas, 44; excused, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—44.

Excused: Senators Day, Gissberg, Herr, Twigg, Woodall—5.

ENGROSSED SENATE BILL NO. 297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 121, by Senators Stender, Gissberg and Peterson (Ted) (by departmental request):

Revising inspection fees relating to boilers and pressure vessels.

MOTION

On motion of Senator Stortini, Senate Bill No. 121 was ordered to hold its place on the second reading calendar for Thursday, January 29, 1970.

ENGROSSED SENATE BILL NO. 61, by Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren:

Authorizing counties to acquire and develop open space and health facilities.

The Senate resumed consideration of Engrossed Senate Bill No. 61 on second reading.

On motion of Senator Mardesich, the following amendment was adopted:

On page 9, beginning on line 33, strike new section 12 and renumber the following sections consecutively.

On motion of Senator Faulk, the following amendment by Senators Faulk and Mardesich was adopted:

On page 7, section 6, line 25, after "expense of" insert "planning and design,"

On motion of Senator Mardesich, the following amendment to the title was adopted:

On page 1, line 14 of the title, after "36.89.070;" strike "validating prior proceedings;"

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 61 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 61, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 2; excused, 5.

Voting yea: Senators Andersen, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Holman, Huntley, Keefe, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Walgren, Washington, Williams, Wilson—39.

Voting nay: Senators Knoblauch, McCutcheon, Talley—3.

Absent or not voting: Senators Atwood, Bailey—2.

Excused: Senators Day, Gissberg, Herr, Twigg, Woodall—5.

ENGROSSED SENATE BILL NO. 61, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Ridder, the Senate returned to the sixth order of business.

On motion of Senator Ridder, the Committee on Education was relieved of further consideration of Senate Bill No. 215.

On motion of Senator Ridder, Senate Bill No. 215 was referred to the Committee on Ways and Means—Appropriations.

At 2:30 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Thursday, January 29, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 29, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen, Huntley and Woodall. On motion of Senator Canfield, Senator Huntley was excused. On motion of Senator Atwood, Senators Andersen and Woodall were excused.

The Color Guard, consisting of Pages Kerri Wong, Color Bearer, and Doug Chiechi, presented the Colors. Reverend Walter MacArthur, pastor of First United Methodist Church of Olympia, offered prayer as follows:

“Pour out Thy Spirit upon us, Eternal Father, as we begin this new day. We pause to lift up our eyes to Thee in recognition that our hope and strength is in Thee. Let the Spirit of Thy wisdom move with us through this day; guide us in all of our deliberations, debates and decisions. Bind together, one by one, the vagrant impulses of our goodness, until we do Thy will in all things. Amen.”

On motion of Senator McCormack, the reading of the journal of the previous day was dispensed with and it was approved.

MOTIONS

Senator Holman moved that the Senate Committee on Rules and Joint Rules be relieved of further consideration of Senate Bill No. 68 and that Senate Bill No. 68 be placed at the beginning of today's second reading calendar.

Debate ensued.

There being no objection, Senator Holman withdrew his motion.

On motion of Senator Greive, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEES

January 28, 1970.

SENATE BILL NO. 7, deferring retired persons' property taxes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Connor, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Stortini, Walgren, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 13, exempting payment of the one percent real estate excise tax for persons incorporating their own property (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Bailey, Canfield, Donohue, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Walgren, Washington, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 20, prescribing educational requirements for public employees (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Connor, Durkan, Faulk, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 34, requiring notice to taxpayer of changes in assessed valuation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Connor, Donohue, Dore, Faulk, Guess, McCormack, Mardesich, Metcalf, Odegaard, Pritchard, Ryder, Sandison, Stortini, Walgren, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 40, pertaining to indebtedness limitations of taxing districts (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Washington, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 55, providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe (reported by Committee on Labor and Social Security):

MAJORITY recommendation: That Substitute Senate Bill No. 55 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Stortini, Chairman; Connor, Herr, Matson, Metcalf, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 22, 1970.

SENATE BILL NO. 60, allowing seventy-five year leases for school purposes (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Henry, Knoblauch, Marquardt, Odegaard, Stender, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 83, relating to judicial conference (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Dore, Vice Chairman; Atwood, Durkan, Foley, Francis, Holman, Ridder, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 85, adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 87, establishing Lake Washington State Park and Nature Conservation Area (reported by Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Lewis (Brian), Lewis (Harry), Pritchard.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 126, relating to regulation of elevators, other lifting devices and moving walks (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Connor, Faulk, Matson, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 144, changing amount of college property exempted from taxation from one hundred to four hundred acres (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Connor, Donohue, Dore, Faulk, Foley, McCormack, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Washington, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 179, establishing health care programs for state employees (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Bailey, Durkan, Faulk, Matson, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 191, setting standards for establishing county commissioner districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, McDougall, Pritchard, Ridder, Stortini, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 198, creating and providing for the operation of community school programs (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Chairman; Elicker, Francis, Henry, Knoblauch, Marquardt, Odegaard, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 214, establishing the noncongested area industrial dispersion authority (reported by Committee on Highways):

MAJORITY recommendation: That Substitute Senate Bill No. 214 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Foley, Guess, Huntley, Knoblauch, McDougall, Matson, Peterson (Lowell), Ridder, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 216, changing qualifications for those claiming the property tax exemption for senior citizens (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 217, providing collective bargaining for employees in health care activities (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Connor, Faulk, Matson, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

January 23, 1970.

SENATE BILL NO. 234, changing tax rate on certain spirits (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Marquardt, Metcalf, Odegaard, Pritchard, Ryder, Sandison, Walgren, Washington, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 27, 1970.

SENATE BILL NO. 265, relating to snowmobile licensing (reported by Committee on Highways):

MAJORITY recommendation: That Substitute Senate Bill No. 265 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Dore, Elicker, Foley, Guess, Keefe, Knoblauch, McDougall, Mardesich, Marquardt, Peterson (Lowell), Ridder, Sandison, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 266, stipulating amount employers may withhold from wages (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Dore, Vice Chairman; Andersen, Atwood, Durkan, Foley, Francis, Greive, Holman, Ridder, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 267, regulating public or private nonprofit schools which dismantle or substantially changes the form of any motor vehicles (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Dore, Elicker, Foley, Guess, Keefe, Knoblauch, McDougall, Mardesich, Marquardt, Peterson (Lowell), Ridder, Sandison, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 294, relating to cities operating under the optional municipal code (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: That Substitute Senate Bill No. 294 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Herr, Chairman; Elicker, Faulk, Francis, Mardesich, Peterson (Lowell), Ridder, Stortini, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

ENGROSSED HOUSE BILL NO. 74, relating to the retirement and pensions of law enforcement officers and fire fighters (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Connor, Faulk, Matson, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

MOTIONS

On motion of Senator Henry, Engrossed Senate Joint Resolution No. 4 was made a special order of business for Saturday, January 31, 1970.

At 10:20 a.m., on motion of Senator Greive, the Senate was declared to be at ease until 11:05 a.m.

The President called the Senate to order at 11:05 a.m.

SECOND READING

SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

Creating a department of pollution control.

The Senate resumed consideration of Senate Bill No. 1 and the motion by Senator Greive on Wednesday, January 28, 1970 that the amendments proposed by him be considered in toto.

Senators Greive, Henry and Sandison demanded a Call of the Senate.
A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.
The Secretary called the roll on the Call of the Senate, all members being present except Senators Andersen, Huntley and Woodall who had been previously excused.
On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

REPORT OF STANDING COMMITTEE

January 19, 1970.

SENATE BILL NO. 1, creating a department of pollution control (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 8, line 33, after the period following "control" add a new paragraph as follows:

"All powers, duties and functions exercised and performed with reference to water pollution by the water pollution control commission or the director of the water pollution control commission by terms of chapter 90.48 RCW, or otherwise, including powers, duties and functions assigned by action of the 1970 legislature, shall be transferred to the department of pollution control."

Signed by: Senators Day, Chairman; Connor, Elicker, Greive, Keefe, McCutcheon, McDougall, Odegaard, Peterson (Lowell).

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was not adopted.

Senator Greive moved adoption of the following amendments:

On page 1, section 1, line 14, after "ity" and before "over" insert "as authorized herein"

On page 1, section 1, line 14, after "pollution" and before "within" strike "and resource degradation"

On page 2, section 2, line 10 after "dustrial" and before "wastes," strike "and mining"

On page 2, section 2, lines 14 through 16 after "solid waste;" and before the period on line 16, strike "resource degradation; and any other deterioration or contamination of the quality of the environment;" and insert "as defined in chapter 70.95 RCW"

On page 2, section 2, following subsection (5) add a new subsection as follows:

"(6) "Hearings board" means the pollution control hearings board of the state of Washington created hereunder."

On page 4, section 6, line 4, after "with respect to" strike all of the matter down to and including the period following "disposal" in line 6 and insert "duties as delegated in section 7 of this 1970 act."

On page 5, section 7, line 11, after the period following "the board" add a new paragraph as follows:

"The duties of the pollution control board shall be as follows:

(1) Adopt, amend or repeal rules and regulations for the proper administration of this act as proposed by the department;

(2) Approve or disapprove positions proposed to be taken by the department on behalf of the state before interstate and federal agencies or federal legislative bodies on matters relating to or affecting the quality of the environment of the state;

(3) Approve or disapprove of any comprehensive environmental quality plan or policy proposed for adoption by the department as a state plan for the control of pollution;

(4) Establish procedures for the financial assistance grants proposed to be given to municipal, regional, county, or state organizations for pollution control purposes;

(5) Establish procedures for considering applications for variances.

The pollution control board shall have authority to hold public hearings, take sworn testimony, and to subpoena witnesses only in matters concerning its powers, duties and functions as enumerated in this 1970 act."

On page 5, section 8, line 28, after "pollution control" and before the period insert "and be distributed as provided in this 1970 act"

On page 5, section 8, line 33, after "pollution control" and before the period insert "and be distributed as provided in this 1970 act"

On page 5, section 8, line 33, after the period following "control" now following "act" add a new paragraph as follows:

"All powers, duties, and functions exercised and performed with reference to water pollution by the water pollution control commission as established by RCW 90.48.021, including powers, duties, and functions assigned by the 1970 legislature, shall be transferred to the department of pollution control and be distributed as provided in this 1970 act."

On page 6, section 11, line 17 after "the" and before "pollution" insert "water"

On page 6, section 11, line 23 after "the" and before "pollution" insert "water"

On page 6, section 11, line 23 after "commission" and before "are temporarily" insert "or of the state department of health who are serving the air pollution control board or who are administering matters concerning solid waste pollution"

On page 6, section 12, lines 26 and 27 after "to the" and before "abolished" on line 27 strike "agency" and insert "agencies"

On page 7, add new sections following section 13 as follows:

"NEW SECTION. Sec. 14. There is hereby created a pollution control hearings board of the state of Washington as an agency of state government.

The purpose of the hearings board is to provide for a more expeditious and efficient disposition of appeals with respect to the decisions and orders of the department, director, and the board and with respect to all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW.

NEW SECTION. Sec. 15. The hearings board shall consist of three members qualified by experience or training in matters pertaining to pollution control, and at least one member of the hearings board shall have been admitted to practice law in this state and engaged in a legal profession at the time of his appointment. The hearings board shall be appointed by the governor with the advice and consent of the senate, and no more than two of whom at the time of appointment or during their term shall be members of the same political party.

NEW SECTION. Sec. 16. Members of the hearings board shall be appointed for a term of six years and until their successors are appointed and have qualified. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs: *PROVIDED, That the terms of the first three members of the hearings board shall be staggered so that one member shall be appointed to serve until March 1, 1972, one member until March 1, 1974, and one member until March 1, 1976.*

NEW SECTION. Sec. 17. Any member of the hearings board may be removed for inefficiency, malfeasance and misfeasance in office, under specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the hearings board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 18. The hearings board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the hearings board shall operate on a full time basis, each member of the hearings board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040. If it is determined the hearings board shall operate on a part time basis, each member of the hearings board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: *PROVIDED, That such compensation shall not exceed ten thousand dollars in a calendar year. Each hearings board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050 and 43.03.060.*

NEW SECTION. Sec. 19. Each member of the hearings board: (1) shall not be a candidate for nor hold any other public office or trust, and shall not engage in any occupation or business interfering with or inconsistent with his duty as a member of the hearings board, nor shall he serve on or under any committee of any political party; and (2) shall not for a period of one year after the termination of his membership on the hearings board, act in a representative capacity before the hearings board on any matter.

NEW SECTION. Sec. 20. The hearings board may appoint, discharge and fix the compensation of an executive secretary, a clerk, and such other clerical, professional and technical assistants as may be necessary, or may contract for required services.

NEW SECTION. Sec. 21. The hearings board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect such a chairman.

NEW SECTION. Sec. 22. The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

NEW SECTION. Sec. 23. The hearings board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decisions shall be effective upon being signed by two or more members of the hearings board and upon being filed at the hearings board's principal office, and shall be open for public inspection at all reasonable times.

NEW SECTION. Sec. 24. The hearings board shall only have jurisdiction to hear and decide appeals from the decisions of the director, the board, and the air pollution control

boards or authorities as established pursuant to chapter 70.94 RCW when such decisions concern matters within the jurisdiction of the hearings board as provided in this act or as provided in any future act or law granting the hearings board additional jurisdiction. The hearings board shall also have jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by air pollution control boards or authorities as established pursuant to chapter 70.94 RCW with respect to a violation or violations of this act or of any rule or regulation adopted by the department or of any other law within the jurisdiction of the department. The issuance, modification, or termination of any permit or license by the department in the exercise of its jurisdiction including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit shall be deemed to be an order for purposes of this act: PROVIDED, That review of rules and regulations adopted by the board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 25. Notwithstanding any other provisions of law to the contrary, the department and all air pollution control boards or authorities established pursuant to chapter 70.94 RCW are hereby prohibited from conducting hearings on violations of any rule or regulation made by the department, the board, or the director, on violations of this act, or on violations of any rule or regulation adopted by any air pollution control board or authority established pursuant to chapter 70.94 RCW, or on the issuance, modification, or termination of any permit or license, within the jurisdiction of the department. All petitions for hearings with respect to such violations shall be heard by the hearings board created in this 1970 act: PROVIDED, That violations of any rule or regulation made by any air pollution control board or authority established pursuant to chapter 70.94 RCW, may be heard by a hearings board of three members created by such board or authority pursuant to regulations promulgated by the hearings board created in this act.

Any order issued by the department or by any air pollution control board or authority established pursuant to chapter 70.94 RCW shall become final unless, no later than thirty days after the date that the notice and order are served, the person aggrieved by the order appeals to the hearings board as provided for in this act.

NEW SECTION. Sec. 26. The Administrative Procedure Act, chapter 34.04 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions are transferred by this 1970 act to the department of pollution control. All other decisions and orders of the director and the board and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this 1970 act.

NEW SECTION. Sec. 27. In all appeals over which the hearings board has jurisdiction under sections 24 and 25 of this 1970 act, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the hearings board: PROVIDED, That nothing herein shall be construed to modify the provisions of sections 32 and 33 of this 1970 act. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

NEW SECTION. Sec. 28. In all appeals involving an informal hearing, the hearings board shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. In the case of appeals within the scope of this 1970 act the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director of pollution control as the hearings board or any member thereof may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 29. In all appeals involving a formal hearing the hearings board shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the hearings board, and each member thereof, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. In the case of appeals within the scope of this 1970 act, the hearings board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director of pollution control as the hearings board, or any member thereof, may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 30. All proceedings, including both formal and informal hearings, before the hearings board or any of its members shall be conducted in accordance with such rules of practice and procedure as the hearings board may prescribe. The hearings board shall publish such rules and arrange for the reasonable distribution thereof.

NEW SECTION. Sec. 31. Judicial review of a decision of the hearings board shall be de novo except when the decision has been rendered pursuant to a formal hearing elected under the provisions of this 1970 act, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and RCW 34.04.140. The director of pollution control and the

board shall have the same right of review from a decision made pursuant to section 24 of this 1970 act as does any person.

NEW SECTION. Sec. 32. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW or on the board as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's decision and order. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. No bond shall be required on appeals to the superior court or on appeals to the supreme court unless specifically required by the judge of the superior court.

NEW SECTION. Sec. 33. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after a formal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the court of appeals pursuant to the provisions of RCW 34.04.130(6). Such appeal may be perfected by filing with the clerk of the court of appeals a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, and on the board. The hearings board shall serve upon the appealing party, the director, the board, and any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the hearings board's decision and order which shall become the record in such case. No bond shall be required on appeals to the court of appeals or on appeals to the supreme court unless specifically required by the judge of the court of appeals.

NEW SECTION. Sec. 34. When the proceeding is at issue, a hearing will be had only upon demand. Either party may demand a hearing by filing a written request therefor. The demand shall include an estimate of time that will be required to hear the matter. The hearings board shall thereupon fix the time and place for hearing: PROVIDED, That all hearings shall be commenced within thirty days of the filing of the appeal: PROVIDED, FURTHER, That extensions of time, continuances and adjournments may be ordered by the hearings board only upon motion of all parties, filed in writing and shall not in any case exceed a period greater than six months.

NEW SECTION. Sec. 35. No provision of this chapter shall be construed to change existing law relating to the staying of orders or decisions pending final determination of any hearing or appeal taken in accordance with the provisions herein.

NEW SECTION. Sec. 36. Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department or board under the provisions of this 1970 amendatory act may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department, board or the air pollution control board or authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the board, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one.

NEW SECTION. Sec. 37. Notwithstanding any other powers, duties and functions transferred by the provisions of this act to the contrary, the department shall only have authority to hold public hearings, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, with respect to recommendations to be submitted to the board on those matters enumerated in section 7 of this 1970 amendatory act.

NEW SECTION. Sec. 38. Sections 1 through 37 shall constitute a new chapter in Title 43 RCW.

Sec. 39. Section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141 are each amended to read as follows:

The board of any activated authority in addition to any other powers vested in them by law, shall have power to:

(1) Adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing this chapter and consistent with it, after consideration at a public hearing held in accordance with chapter 42.32 RCW.

(2) Hold hearings relating to any aspect of or matter in the administration of this

chapter *not prohibited by the provisions of chapter — (SB No. 1), Laws of 1970 1st ex. sess.* and in connection therewith issue subpoenas to compel the attendance of witnesses and the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings *subject to the rights of appeal as provided in chapter — (SB No. 1), Laws of 1970 1st ex. sess.*

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within its jurisdiction.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter.

(8) Encourage and conduct studies, investigation and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advise, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this chapter, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of this chapter.

Sec. 40. Section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the board or the control officer may require that the alleged violator or violators appear before the hearings board *as provided for in chapter — (SB No. 1), Laws of 1970 1st ex. sess.* for a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended, or in addition to or in place of an order or hearing, the hearings board *created therein* [or control officer] may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435.

Sec. 41. Section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221 are each amended to read as follows:

[(1)] Any order issued by the board or by the control officer, [which is not preceded by a hearing,] shall become final unless [, no later than twenty days after the date the notice and order are served, the person aggrieved by the order petitions for a hearing before the board. Upon receipt of the petition, the board shall hold a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended.

(2) If, after a hearing held as a result of a petition to the board by a person aggrieved by an order, the board finds that a violation has occurred or is occurring, it shall affirm or modify the order previously issued, or if the finding made is that no violation has occurred or is occurring, the order shall be rescinded. If, after a hearing held in lieu of an order, the board finds that a violation has occurred or is occurring, it shall issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective actions as may be appropriate. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(3) Any hearings held under this section or under RCW 70.94.181 shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended] *such order is appealed to the hearings board as provided in chapter — (SB No. 1), Laws of 1970 1st ex. sess.*

Sec. 42. Section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, [a petition requesting judicial review is filed in accordance with the provisions of chapter 34.04 RCW as now or hereafter amended] a

notice of appeal is filed with the hearings board as provided in chapter _____ (SB No. 1), Laws of 1970 1st ex. sess.

Sec. 43. Section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

- (1) "City" means every incorporated city and town.
- (2) "Committee" means the solid waste advisory committee.
- (3) "Department" means the department of environmental quality.
- (4) "Director" means the director of the department of environmental quality.
- (5) "Disposal site" means the location where any final treatment, utilization, processing, or depository of solid waste occurs.
- (6) "Functional standards" means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.
- (7) "Jurisdictional health department" means city, county, city-county, or district public health department.
- (8) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.
- (9) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, ashes, industrial and mining wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded [home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded materials] commodities.
- (10) "Solid waste handling" means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes."

Remember the remaining sections consecutively.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the following amendment to the amendments by Senator Greive:

On page 5 beginning on line 12, after "comprehensive" strike "environmental" and insert "pollution"

Debate ensued.

The motion carried. The amendment to the amendment was adopted.

POINT OF INQUIRY

Senator Atwood: "Senator Greive, I have gone through the amendments and I have also had an analysis run. I think there are some omissions but I am not sure. It is going to take some time to check them."

Senator Greive: "What did you have in mind?"

Senator Atwood: "Well, I was looking at the air pollution part."

Senator Greive: "Section fourteen, maybe? At the bottom of the second page?"

Senator Atwood: "Is that covered in . . .?"

Senator Greive: "Let me explain because anybody that reads this bill would be confused on that and it was something that all of us were. If you will look at section 24 I think I can explain. It says, 'The hearing board shall have jurisdiction to hear and decide appeals from decisions of the director and the board.' Now you would have to take that and then look back to the bill and you will find that the word 'board' means 'Pollution Control Board created hereunder.' So they have, in the cases of permits, the cases of violation or penalties, they have jurisdiction. Now the confusing part in this is that down on the bottom of page 2 it looks as though they can only hear, because they make a reference to RCW 70.94, appeals from air board. The reason for that is that there is a State Air Pollution Control Commission, but there also is a local board. In other words there are a number of local boards. If you will recall, there are agencies created, one in King county, for instance, that is involved in, appears so forth, and so forth for Puget Sound; and so we had to write it. It is very confusing. It looks as though you are only talking about air when in reality you are talking about everything, but you have to have a special section to pick up the air board. That is the reason for that particular provision."

Senator Atwood: "This appeals board is not the policy board. It has no policy function. It is merely the quasi judicial review function?"

Senator Greive: "That is correct, and it is completely separate. There is a provision in here that—Senator Mardesich has an amendment to clarify it even a little more—says in effect that they shall not even sit in private. Even the policy board cannot sit in privacy with the appeals board because it is to function in the sense of a court. Everything it hears should be heard in open court in which they hear the basic board or the seven-man board position and then they should hear the industry or whoever is on the other side's position and not take any private information or private polls just like a court would."

The motion carried and the amendment as amended was adopted.

Senator Mardesich moved adoption of the following amendment by Senators Mardesich and Greive:

On page 1, section 1, line 5 after "clean air," strike "productive" and insert "uncontaminated"

POINT OF INQUIRY

Senator Atwood: "Will Senator Mardesich yield? Are you intending by this amendment that 'uncontaminated' means that the farmer and the agriculturers cannot use fertilizers of any kind including natural fertilizers, let alone liquid ammonia? 'Uncontaminated' means pure, without any outside products."

Senator Mardesich: "That is not what I intended, but is it your feeling that the commission would have something to do with the productivity of soil?"

Senator Atwood: "I am not so sure, but the word 'uncontaminated' means that the farmer might be highly restricted in what he could use. In fact, 'uncontaminated' would mean that he could use nothing; and what I am really concerned about is if you intend any legal significance by the use of the word 'uncontaminated.'"

Senator Mardesich: "I intend no legal significance by that word. If you feel that it is of any consequence, I do not care. It could be withdrawn."

The motion carried and the amendment was adopted.

Senator Lewis (Brian) moved adoption of the following amendment:

On page 2, section 2, line 4, delete "pollution control" and insert "environmental quality" and at all other places in the bill where "department of pollution control" or "pollution control board" appears, insert "department of environmental quality" or "environmental quality board" respectively.

Debate ensued.

On motion of Senator Durkan, the amendment by Senator Lewis (Brian) was laid upon the table.

On motion of Senator Mardesich, the following amendments by Senators Mardesich and Greive were adopted:

On page 3, section 4, line 8 after "is appointed" strike "and qualifies"

On page 3, section 5, line 27 after "attend all" strike "nonexecutive"

On page 5, section 7, line 3 after "by the governor" insert "from among the members thereof"

Senator Elicker moved adoption of the following amendment:

On page 7, add new sections following section 14 as follows:

NEW SECTION. Sec. 15. There is created a citizens' environmental quality committee composed of nine members from the public appointed by the governor. Members shall not be an employee of or hold a financial interest in any business regulated in any manner by the department. Members shall serve continuously during the full length of the appointing governor's term and until such further time as a replacement has been made. Any vacancy on the committee shall be filled through appointment by the governor within ninety days from the date of vacancy. The members of the committee shall select a chairman who shall conduct the committee's meetings in accordance with such rules as the committee may prescribe.

NEW SECTION. Sec. 16. The committee shall meet monthly at a date and place of its choice, and at such other times as the committee may designate. Members of the committee shall receive twenty-five dollars per diem for each day or major portion thereof actually spent in attending to their duties as committee members; and, in addition, they shall be entitled to reimbursement for their subsistence and lodging expenses as provided in RCW 43.03.050, as now or hereafter amended, and for their travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 17. It shall be the duty of the citizens' environmental quality committee to observe, analyze and evaluate the performance of the department. The committee shall submit to the public and the governor annually and at such other times as the committee may choose, reports on the department's performance.

NEW SECTION. Sec. 18. In carrying out its functions, the committee shall conduct such public hearings and make such investigations as it deems necessary. The committee shall receive an appropriation separate and apart from the department's, and shall where necessary to carry out its functions, hire its own staff, purchase its own supplies and furnish its own facilities. The director shall furnish to the committee such assistance as the committee may request. The committee shall have access to all department communication, including but not limited to department records, correspondence and internal memoranda."

Renumber the remaining sections consecutively.

On motion of Senator Durkan, the amendment by Senator Elicker was laid upon the table.

On motion of Senator Greive, the following amendment to the title was adopted:

On line 2 of the title after "control;" and before "and providing" insert "amending section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141; amending section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211; amending section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221; amending section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222; amending section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030;"

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 1 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Lewis (Harry): "Will Senator Atwood yield? Senator Atwood, I wonder if you could respond in rather general terms to a question that has been bothering me. How does this legislation as it is amended compare to the task force recommendations that were made?"

Senator Atwood: "In that regard, Senator Greive and gentlemen of the Senate, the task force last time had a bill in here on this and all of a sudden the environmentalists got interested in this matter. Senator Greive and Senator Lewis, the task force bill took the strong executive approach. I am not going to debate the commission versus the strong executive, but most of our bills in the reorganization area took the strong executive approach. We have long fragmented state government with the commission approach being very skeptical of the Governor's powers, but in this area we felt three things that we would oppose on this bill."

PERSONAL PRIVILEGE

Senator Talley: "Is Senator Atwood making a speech or answering a question?"

POINTS OF INQUIRY

Senator Atwood: "I think he asked what the task force approach was on this."

Senator Talley: "I wondered. I have not heard the question answered yet. I was wondering. He seems to be way away from the way the question was posed to him."

Senator Atwood: "I try to answer the question specifically, Senator Talley. The area of disagreement here is one of form not of substance; and the task force position, I think, is more expressed in the House version than this. Secondly, the one thing that the task force, Senator Lewis, feels very strongly about that should be included and is not in the Department of Water Resources. Now the argument is made this department, the one we are debating here, is not needed; but the fact is that right now all of our pollution matters are fragmented between the Department of Health, the Pollution Control Board and the Department of Water Resources. This is one of the main holes in this particular piece of legislation as far as I am concerned having been a member of that task force; is the fact the Department of Water Resources is not in this? I think the House version does have it in it. I am hopeful that the Conference Committee will see fit to this too."

Senator Dore: "Will Senator Atwood yield? I assume in having Senator Lewis ask you a question for the record that we should complete the record in reference to the recommendation of the task force. I think you indicated the task force recommended a strong executive approach."

Senator Atwood: "We did on all the bills."

Senator Dore: "My question is who appointed the task force, so we can complete the record."

Senator Atwood: "The Governor, and incidentally, Senator Dore, there were more Democrats on it than Republicans. Bob Charette was the other legislator on it, but for your information Mr. Wilson of Boeving was on it. He happens to be a Missouri Democrat. Stephen Moser of Boise-Cascade, Bob Mitchell who is a well known Democrat and Vice President of Pacific Telephone Northwest, and Dean Brink of Social Welfare were on it. Dean Denney was the chairman. We worked long and hard and reworked these several times, Senator."

Debate ensued.

POINT OF INQUIRY

Senator Wilson: "Will Senator Greive yield? Senator Greive, Senator Atwood and others have brought up the matter of the possible impact of this legislation on agriculture. I think everyone agrees that agriculture as well as all other segments of our economy will have to play a certain role in the control of air and water pollution in this state. The nature of my question is, however, setting aside the authority that the state Department of Agriculture presently enjoys with respect to controlling pesticides and so on, what is the effect of the use of the phrase 'uncontaminated soil' on line five on page one of this bill in relation to the normal employment of fertilizers and other soil additives engaged in by farmers and other agriculturalists in the state?"

Senator Greive: "Mr. President and Senator Wilson, sometimes I think that we would be better off without preambles. They seem to add them to all of the bills. For those of you who are not attorneys, the preambles as far as I know, are never incorporated into the statute. I should not say never because there may be some rare instance that Senator

Atwood or somebody, maybe Senator Gissberg can think of and tell where they did. As far as I know, they do not mean anything. Hopefully they are a matter of interpretation, but then the courts generally only use that when they want to go a particular way. It would seem to me that we would almost be better to have a rule here that we would not have preambles; but in any event for whatever it is worth, it is my understanding—hopefully I am expressing the intent of this entire body when I say—that there is no intention whatsoever to include agriculture or agricultural soil in this. I think that particular point has already been made by Senator Mardesich who feels it should be, but whether it should or should not be we intend only to deal with other types of pollution. Hopefully that will be clear in the record.”

MOTION

On motion of Senator Greive, the rules were suspended and Senator Ryder was excused.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—44.

Voting nay: Senators Elicker, Guess, Sandison—3.

Excused: Senators Ryder, Woodall—2.

ENGROSSED SENATE 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.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

ENGROSSED SENATE BILL NO. 95, by Senators Mardesich, Walgren and Andersen: Authorizing sound and video recordings in certain police activities.

The Senate resumed consideration of Engrossed Senate Bill No. 95 on second reading, three of the committee amendments having been adopted on Wednesday, January 28, 1970 and the remaining amendments pending.

On motion of Senator Andersen, the remaining committee amendments were adopted.

On motion of Senator Andersen, the rules were suspended, Engrossed Senate Bill No. 95 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Wilson: “Will Senator Andersen yield? Senator Andersen, starting on line ten of page one, the police and fire departments are given authority to record incoming telephone calls for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls. Of course, in many larger cities the police may have as we discussed yesterday two telephone numbers, one for routine calls and one for emergency calls and with a procedure like that, they might reasonably record everything that comes over the emergency telephone. However, in smaller departments there is quite often only one general purpose telephone. If the officer on duty is supposed to record all incoming calls of an emergency nature, he has no way of knowing when the telephone rings whether it is an emergency call or not and therefore might well be inclined to record every call that comes in. I am not sure that the citizenry should be subjected to having every phone call they make to a police station placed on tape. They may be calling up to complain about the mayor, a neighbor, one thing or another. I guess the nature of my question is, on all such calls that would be taped under the authority of this bill, will there be an automatic warning or advisement to the person placing the call that his message is being recorded?”

Senator Andersen: "Not the way the law is written, Senator Wilson, and frankly I do not know. I checked into that matter after you were kind enough to raise it with me yesterday and I should have gotten back to you on it. I inquired into it and there will not be an automatic beeper type. I believe that is used on some phone systems when there are recordings for the police department and so on."

"I think that the problem is a small problem. As you mentioned, most of the police departments and sheriffs' offices, the state patrol have separate numbers, one for routine business and a separate one for emergency calls and is so designated in the phone directories. The purpose, I believe, is so that your emergency call can get directly through and will not be held up by routine phone calls asking as to weather conditions in the passes, this or that or the other things that people call the police departments about. In those few instances where departments have only one phone, I think it would be excellent public policy that the people that provide their budgets insist that they do have a separate emergency phone because I do not believe it would be appropriate for a police department to monitor and record all calls. This bill does not specifically provide against it because I do not know how that can be done in a statute. This is the kind of thing that I think has to be handled administratively."

"I believe that if a recording system would be available that either the officer would turn it on when he found out it was an emergency call because I believe that nonemergency calls should not be recorded without the knowledge and consent of the person calling in. On the other hand a person phoning the police department probably is not being injured particularly by having his call recorded. If he is talking with a public official, he probably expects it to be public information. It is not public information, of course, because these are held confidential but the specific answer to your question is this bill does not prohibit what you are concerned with. My practical answer is that I do not think it is a problem that cannot be handled other than by changing the law and I do not know how to change the law to affix it."

Senator Dore: "Will Senator Andersen yield? We have talked about only section one but under section two, the time of making an arrest and in turn the recording provided you, advise the party of his constitutional rights. I assume this could be used quite extensively by the state patrol in picking people up on the highways that perhaps are under the influence of alcohol, of course even though you inform him of the fact that he has his constitutional rights, he probably will not grasp the significance of what he is saying. In answer, specifically for the record, as I understand your presentation this recording of state patrolmen arresting people for drunk and reckless, for instance, would not be available to be used against him in traffic court for the reason presumably he would not be capable of exercising his right of being informed of counsel. Is that your intention, not to be used in that case?"

Senator Andersen: "This was considered and discussed at some length by the committee during the hearings on this bill when the various law enforcement officers, prosecutors, and so on testified. It was the opinion of the committee, as I understand it, that these recordings could be used in drunk driving cases. However, and this was one reason that the recordings were made available to defense counsel on request once a charge is filed. I would point this out, Senator Dore, there is this new procedure that provides if there is a question about consent being given freely and voluntarily, this can be heard out in a pretrial hearing before a judge."

"Now the man who is charged with drunk driving, of course, has to be advised of his constitutional rights which means he has a right to talk to a lawyer. However, there would be an issue of fact as to whether he was so drunk that he could not voluntarily consent to this. This would be something that would be tried out under the procedures provided by our present criminal rules prior to the actual trial itself. It is not a yes or no answer. It depends on how drunk he is."

Debate ensued.

Senator Henry: "Will Senator Andersen yield? Not being an attorney, I do not keep up on all of these latest changes but it has not been too long ago in the communications field that the FCC required a beep tone anytime you are being recorded. Has that been changed?"

Senator Andersen: "I checked informally with Mr. Dunn, Cowlitz County prosecuting attorney, who had checked with the attorney general's office. He indicated that in the intrastate call there is probably no requirement that the beep be put on. On the other hand I think it would be an excellent idea and I think a lot of police departments do it as a matter of courtesy. It is a matter of good community relations because I think it is a wise thing to do. I do not think that they should have these things recorded when the people do not know they are being recorded. The point is that they are trying to make sure that they get the right address when they have a call to a robbery or they get the right address and so forth when a call comes in that the house is on fire but I do not think specifically, Senator Henry, that there is a requirement that there be a beep tone on it."

Senator Henry: "On intrastate calls?"

Senator Andersen: "That is my understanding."

Senator Guess: "Will Senator Andersen yield? Senator Andersen, continuing along the question that Senator Henry raised, subsection (d) at the bottom of page one says that 'The recording shall be used only for valid police or court activity and shall not be released to the news or communications media.' Do you mean that the tape or the information in the message cannot be released?"

Senator Andersen: "I am going to ask for your specific question again, Senator Guess. Do I mean what?"

Senator Guess: "'The recording shall only be used for valid police or court activity.' All right, then I would say that the tape itself goes to the court. Do you mean to limit the fact that the tape shall not be given to the news media or do you mean to limit it so that the content of the message cannot be given to the news media?"

Senator Andersen: "Neither the tape nor the contents could be given to the news media under this bill until it was introduced in evidence. I can recall having handled a couple of prosecutions in King county where the original phone call coming in became highly pertinent in a homicide case as to the nature of the call and also whether the police had authority to go out and make the arrest and so on. I think this is in accord with the limitations that the courts have laid down on news media right now as to the protection of the individual rights, so this does not put any handicaps on the news media that are not already on it. The purpose as I say is a rather narrow one in this particular bill.

"I point out, and this goes back to what Senator Dore was asking about. These tapes in addition to being evidence of a person's guilt can also and particularly in drunk driving cases be extremely good evidence of a person's innocence. If a police officer wants to get somebody and is a venal, small enough person that he is going to use his office and the law he is supposed to be enforcing to try to get someone, there is nothing to stop him from painting a picture of a real drunk whereas the man maybe only had two or three drinks. This has been done; this can be done. If you have a tape recording of this man and he speaks clearly and lucidly, that prosecution is not going to get off the ground. That man is going to be acquitted, and this is another reason that these tapes are being made available for defense counsel because a man can obviously be just falling down drunk and the tape will show it or he can be obviously relatively unaffected and the tape will demonstrate that also."

Further debate ensued.

POINT OF INQUIRY

Senator Guess: "Will Senator Andersen yield? Senator Andersen, with respect to the question of police or firefighters divulging information—this had to do with the subsection (d) on the bottom of page one of Senate Bill No. 95—they are prohibited from divulging information to the news media. If a written record is kept of the incoming fire calls or police emergency calls although they may be automatically recorded, could not the fact that there is a fire, an accident, a murder, or other crime or catastrophe be made known to the news media?"

Senator Andersen: "Yes, what you are referring to, Senator Guess, by this question is distinguished, I understand, from your previous question. What you are referring to here is in effect the fact of the complaint. . . ."

Senator Guess: "This is correct."

Senator Andersen: ". . . is not the use of a recording, and is, therefore, not prohibited by the statute. Talk about the names, the facts of complaint, and that sort of thing is one thing; however, what we are aiming at is principally the pretrial revelations of the substance of a confession or some such, which are quite universally condemned by the various bar, press guidelines, and that kind of thing; and that is what we wanted to avoid being used."

Senator Guess: "Thank you."

POINT OF INQUIRY

Senator Dore: "Will Senator Atwood yield? Let's go one step further. Say, for instance, an inebriated man at the scene is recorded and he makes some very derogatory statements concerning a state senator or mayor. Of course, he says this out of court. It is recorded on the instrument taken into court and as I understand the libel laws anything in court that is said is a matter of public information. The papers without impunity can publish anything they pick up in court. My question is then if some of these statements are made, are there possible libel actions against these inebriated people making these particular statements?"

Senator Atwood: "In direct response to your question, I doubt it. It is pretty tough to libel a public official in this day and age."

Senator Dore: "Let's not be facetious. Let's say not a public official but some other person that is not a public official but a well-known man in the community, perhaps one of those Missouri Democrats you spoke about earlier. If the same factual situation existed, could then that party sue you for libel?"

Senator Atwood: "I do not think so, Senator, because it can only be used for court activities and valid police purposes."

Senator Dore: "I understand that, but once it is said in court then the reporter there can take it down and put it in the newspaper for the community. Now my question is, could the party that has been libeled in such a factual situation sue you having made this statement perhaps in a condition you would not have said if you had been sober?"

Senator Atwood: "I am no expert in the libel law but I do not think he can sue the inebriated person. He might be able to sue the newspaper for printing it."

Senator Dore: "Not if they picked it up in court."

Senator Atwood: "I am not so sure of that."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 95, and the bill passed the Senate by the following vote: Yeas, 43; nays, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams—43.

Voting nay: Senators Dore, Greive, Lewis (Harry), Odegaard, Wilson—5.

Excused: Senator Woodall—1.

ENGROSSED SENATE 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.

MOTION

At 12:30 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTIONS

On motion of Senator Bailey, Senator Greive was excused.

On motion of Senator Ryder, Senator Lewis (Harry) was excused.

Senators Day, Ridder and Stender demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Greive, Lewis (Harry), Ryder and Woodall who had previously been excused.

On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

SENATE BILL NO. 121, by Senators Stender, Gissberg and Peterson (Ted) (by departmental request):

Revising inspection fees relating to boilers and pressure vessels.

The bill was read the second time by sections.

On motion of Senator Stortini, the rules were suspended, Senate Bill No. 121 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Peterson (Ted): "Will Senator Stender yield? You refer to different types of boilers. You are with the boilermakers; you are not only considering vessel boilers, but it hits the full line of high pressure and low pressure boilers. Your fees are based on what the cubic feet or the pressure that a boiler will hold, or just how does that work out, Senator?"

Senator Stender: "You will note in the bill as a change from the original identification of 'fifty horsepower' is stricken. Under the new schedule, it goes on a square foot basis,

which is actually predicated on the amount of heating surface as exposed to fire like your tubes. You understand on the boiler it is where your exposure is transmitted to heat to the water and consequently steam, so they have used this. It conforms more nearly to the national system of rating for power. The fifty horsepower boiler is not necessarily going to be in that category. A lot of other factors come in, and this is a national system now used in rating. That is why the change is now being put into this act. It comes out just about the same. The five hundred square feet total heating surface is just about identical to the fifty horsepower rating within the old act."

Senator Elicker: "Will Senator Stender yield? I am a little disturbed, Senator, about the addition of 'and expenses' throughout this act. No inspection plan that I ever knew of called for the payment of expenses over and above an inspection fee, and I am just wondering if you could explain to me what the reasoning of the department was adding the words 'and expenses' and setting out the actual expense schedule on page four of the bill."

Senator Stender: "The expenses are only charged in the case where some company or some individual requests the department for a special inspection. Say an individual wanted to buy a used boiler. Before he bought it, he wants to make a determination whether or not that boiler is fit to use and would meet inspection. The department being the official agency for that purpose is called, and the inspector would have to go a considerable distance to make such an inspection. Consequently, the department then would be in a position to charge back the cost. Further, a customer of a plant might want to change a boiler or a vessel, enlarge it or alter it some way; and they wanted to get an inspection. Naturally, they would ask for it. These are not the routine inspections. These are the ones that are requested by the particular person. Consequently, they pay the bill."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 121, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Excused: Senators Greive, Lewis (Harry), Woodall—3.

SENATE BILL NO. 121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Stender, Senate Bill No. 121 was ordered immediately transmitted to the House.

SENATE BILL NO. 139, by Senator Gissberg (by Legislative Council request):
Regulating surface mining.

MOTION

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 139 was substituted for Senate Bill No. 139 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Peterson (Lowell), the following amendments were adopted:

On page 2, section 4 (1) line 24, after "or other" and before "construction, but" strike "on-side" and insert "on-site"

On page 3, section 4 (3), lines 10 and 11, after "department of" and before "that the" strike "environmental quality" and insert "natural resources"

On page 3, section 4 (3), lines 14 and 15, after "to the" and before "satisfaction that" strike "director's" and insert "department's"

On page 6, section 9, line 8, after "section 9" and before "of this" strike "(10)"

On page 13, section 15, line 21, after "by the" strike "director" and insert "department"

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed

Substitute Senate Bill No. 139 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 139, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

ENGROSSED SUBSTITUTE SENATE 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.

SENATE BILL NO. 228, by Senator Henry:

Providing for appointment of state toxicologist and laboratory funds.

REPORT OF STANDING COMMITTEE

January 28, 1970.

SENATE BILL NO. 228, providing for appointment of state toxicologist and laboratory funds (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 24, strike "for staff" and insert "[for staff] and operations"

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, McCutcheon, McDougall, Newschwander, Odegaard, Peterson (Lowell).

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 228 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 228, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE BILL NO. 228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Honorable Elmer Flynn, State Senator from Montana and cousin of newspaperman Mike Flynn, and

appointed a special committee consisting of Senators Keefe, Durkan and Lewis (Harry), Assistant Secretary of the Senate Jerry Hagen and Mike Flynn to escort Senator Flynn to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Senator Flynn to address the Senate.

The committee of honor escorted the distinguished guest from the Senate Chamber.

SENATE BILL NO. 132, by Senators Bailey, Gissberg and Peterson (Ted):
Implementing state teachers' retirement system provisions.

REPORT OF STANDING COMMITTEE

January 22, 1970.

SENATE BILL NO. 132, implementing state teachers' retirement system provisions (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, beginning on line 12, strike all of subsections (8) and (9).

Signed by: Senators Ridder, Chairman; Elicker, Francis, Henry, Knoblauch, McCutcheon, Marquardt, Odegaard, Stender, Talley, Washington.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

Debate ensued.

POINT OF INQUIRY

Senator Henry: "Will Senator Donohue yield? In light of Senator Ridder's speech, has this been cleared through your Committee on Agriculture?"

Senator Donohue: "Yes, Senator, I was going to make that statement. It sounded more like a Dore bill to me."

On motion of Senator Ridder, the rules were suspended, Engrossed Senate Bill No. 132 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 132, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE BILL NO. 132, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 164, by Senators Day, Lewis (Harry) and Henry:
Creating investment of contractor's retained percentage on public works contracts.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 164, creating investment of contractor's retained percentage on public works contracts (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13, after "or work" and before "by the state" insert "*other than for professional services.*"

On page 1, section 1, line 20, after "such estimates" strike all the matter down to and including "*reserved shall be*" in line 22 and insert "*said sum to be retained by the state, county, city, town, district, board, or other public body, as a trust fund*".

Signed by: Senators Walgren, Chairman; Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCutcheon, Marquardt, Ryder.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 164 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 164, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE BILL NO. 164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT MEMORIAL NO. 4, by Senators Peterson (Lowell), Talley, Metcalf, Peterson (Ted) and Stortini:

Requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada.

The memorial was read the second time in full.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Joint Memorial No. 4 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Stender: "Will Senator Peterson (Lowell) yield? Do you think anybody reads these resolutions or memorials when they get back to Washington?"

Senator Peterson (Lowell): "Senator, in all sincerity I would say that they get the same consideration that you would give to yours."

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 4, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

SENATE JOINT MEMORIAL NO. 4, having received the constitutional majority, was declared passed.

MOTION

On motion of Senator Henry, the Senate dispensed with the Call of the Senate.

SENATE BILL NO. 107, by Senators Lewis (Brian), Andersen and Ridder:
Revising criteria for reimbursement to school districts for safe walkways for pupils.

REPORT OF STANDING COMMITTEE

January 26, 1970.

SENATE BILL NO. 107, revising criteria for reimbursement to school districts for safe walkways for pupils (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "for" and before "costs" insert "their"

On page 1, section 1, line 22, after "providing" and before "such" insert "or participating in providing"

Signed by: Senators Ridder, Chairman; Elicker, Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Stender, Talley, Washington.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendments were adopted.

On motion of Senator Lewis (Brian), the following amendment was adopted:

On page 2, section 2, line 14, after "for" and before "costs" insert "their" and after "providing" and before "such" insert "or participating in providing"

On motion of Senator Lewis (Brian), the rules were suspended, Engrossed Senate Bill No. 107 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 107, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Absent or not voting: Senator Durkan—1.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE BILL NO. 107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Ridder, Engrossed Senate Bill No. 107 was ordered immediately transmitted to the House.

THIRD READING

ENGROSSED SENATE BILL NO. 27, by Senators Francis, Durkan and Greive:
Relating to the age of majority.

The bill was read the third time and placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 27, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Startini, Talley, Walgren, Washington, Williams—37.

Voting nay: Senators Canfield, Guess, Huntley, Matson, Metcalf, Newschwander, Twigg, Wilson—8.

Absent or not voting: Senators Ridder, Stender—2.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE BILL NO. 27, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Gissberg, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 261, by Senators Woodall, Matson and Canfield:

Enabling inmates of county or city jail detention facilities to receive public assistance.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 261, enabling inmates of county or city jail detention facilities to receive public assistance (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

Strike all of section 1 and substitute the following:

“Section 1. Section 4, chapter 30, Laws of 1967 1st ex. sess. and RCW 74.09.510 are each amended to read as follows:

Medical assistance may be provided in accordance with eligibility requirements established by the department of public assistance to an applicant: (1) Who is in need; (2) who has not made a voluntary assignment of property or cash for the purpose of qualifying for an assistance grant; (3) who is not an inmate of a public institution except as a patient in a medical institution *and/or an inmate in a county or city jail or juvenile detention facility*, and who is not a patient under the age of sixty-five years in an institution for mental disease or tuberculosis and who is not a patient in a medical institution because of the diagnosis of psychosis or tuberculosis; and (4) who is a resident of the state of Washington.”

On line 1 of the title, after “assistance;” strike all of the material down to and including “74.08.025” on line 3 and insert “amending section 4, chapter 30, Laws of 1967 1st ex. sess. and RCW 74.09.510”

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Durkan, Foley, Holman, McCormack, Ridder, Walgren, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the first committee amendment.

Senator Canfield moved adoption of the following amendment by Senators Canfield and Matson to the first committee amendment:

On line 7 of the second paragraph of the committee amendment, after “institution” strike “and/or” and insert “and except as”

Debate ensued.

The motion carried and the amendment to the committee amendment was adopted.

The motion by Senator Gissberg carried and the committee amendment, as amended, was adopted.

On motion of Senator Gissberg, the committee amendment to the title was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No.

261 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Atwood: "Will Senator Canfield yield? Senator, the amendment by the Judiciary Committee says this term as phrased in terms of 'may'. Is it your intent that the department of public assistance 'shall' pay for the medical assistance to jail inmates where they are otherwise qualified?"

Senator Canfield: "When Senators Woodall, Matson and I discussed this together, it was our idea that it should be legal and we assume that the public assistance department would assume that responsibility but I realize your point and if 'shall' is the word that needs to be in there I would take your legal advice. At the present time it is illegal under the AGO. I would like to ask you in return, if I may, Senator Atwood, do you think this covers the problem?"

Senator Atwood: "I think it will if the department determines that they have the money to do it. That is what you are concerned about. It legalizes the payments of medical assistance which is what you wanted to do. It doesn't mandate them to do it though."

Senator Canfield: "That is correct. Will Senator Gissberg yield? Senator Gissberg, would you think we should amend this to make it mandatory?"

Senator Gissberg: "No, I don't think that would be necessary at all, Senator. There are funds that were appropriated, as I understand it, in the current fiscal budget, the biennial budget for this purpose. The problem is then that the statute has not authorized the expenditure of those funds."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 261, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—44.

Absent or not voting: Senators Durkan, Huntley, Pritchard—3.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE 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.

SENATE BILL NO. 99, by Senators Walgren and Andersen:

Allowing the fingerprinting of juveniles when suspected of a felony.

On motion of Senator Gissberg, Substitute Senate Bill No. 99 was substituted for Senate Bill No. 99, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Gissberg, the rules were suspended, Substitute Senate Bill No. 99 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Dore: "Will Senator Andersen yield? I have noticed that you have changed section eight now to provide the prosecuting attorney can examine you pertaining to facts related to an alibi. Isn't that getting into the realm of self-incrimination? In other words, don't you have a constitutional guarantee against incriminating yourself?"

Senator Andersen: "Yes, there is, as you and I both know as lawyers, Senator Dore, there is a constitutional guarantee against a person being required to incriminate himself. This particular statute, as with most of these statutes that have been drawn here, is taken

from statutes of other states where they have successfully worked and have been tested in the courts. This particular statute, the alibi statute, as I recall is a Wisconsin statute and has been adopted from the Wisconsin Act and made adaptable to the criminal system of jurisprudence we have in this state. You will note that the only penalty for not telling the names of the alibi witness or the only penalty for not stating where the man was is that if suddenly in the middle of the trial the defendant popped up with a couple of witnesses saying that he was in New Orleans at the time the offense occurred, then the prosecutor has the right to ask a judge, in the judge's discretion, for a continuance of up to one week so that he can check out the alibi witnesses. In other words, the onus is on the prosecutor rather than the defendant in the first place. In the second place, the prosecutor asks the name by a bill of request or a bill of particulars, and the place. If the man says it, fine; if he doesn't say it, fine. The prosecutor does have a chance, the judge being willing, to check out the alibi witnesses if they pop up in the middle of the trial."

Senator Dore: "As I understand it, if I am a defense lawyer and I elect not to answer your bill of particulars then I cannot later raise that as a defense. Is that correct?"

Senator Andersen: "No, you can raise it as a defense but if you do, the prosecutor has the right to ask for a stay or an adjournment for a period of up to a week in the discretion of the trial judge in order to check out the alibi witnesses."

Senator Dore: "I thought it said on page six, lines eight and nine that the court may exclude such testimony or the testimony of such witness. So if I don't give you the information, and a lot of times in a case, you don't know exactly what all the facts are until the very end of the preparation of the case. If you elect early not to answer that it seems to me you would run the jeopardy of having this testimony excluded and I frankly wonder whether this particular section is constitutional. Would you mind if we struck this out of the bill?"

Senator Andersen: "Yes, I would."

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 99, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Voting nay: Senator Dore—1.

Absent or not voting: Senator Durkan—1.

Excused: Senators Greive, Woodall—2.

SUBSTITUTE SENATE BILL NO. 99, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 105, by Senators Odegaard, Newschwander and Foley (by departmental request):

Permitting director of institutions to enter into agreements for providing rehabilitation services.

The bill was read the second time by sections.

On motion of Senator Odegaard, the following amendment was adopted:

On page 1, section 1, line 8 after "providing" insert "and coordinating voluntary and community based"

On motion of Senator Odegaard, the rules were suspended, Engrossed Senate Bill No. 105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Ridder: "Would Senator Odegaard yield to a question? Would this entail for instance contracting with family counseling service in King county or the mental health groups voluntary in nature?"

Senator Odegaard: "The medical health groups it would not, because the department

of institutions already has its own medical people and we were told that they would not be contracting with those people."

Senator Ridder: "You would not be able to contract with, we'll say, family counseling service if you had somebody just released from a mental institution and they needed in-the-field help?"

Senator Odegaard: "Possibly the family counseling services. I thought you were speaking of the medical services that were involved."

Senator Ridder: "No."

Senator Odegaard: "I would think they would with them, yes."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 105, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—44.

Absent or not voting: Senators Henry, Pritchard, Williams—3.

Excused: Senators Greive, Woodall—2.

ENGROSSED SENATE 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.

POINT OF INQUIRY

Senator Lewis (Harry): "I wonder if Senator Bailey would yield to a question? Senator Bailey, Senate Concurrent Resolution No. 1, passed by both houses early in the session, contained language that has raised some confusion in my mind. I am wondering, because of the great number of confirmation of appointments by the Governor which are still yet to come in the Senate, if your interpretation of the language in the concurrent resolution would permit the Senate to consider these confirmations up until the closing days of the legislature?"

Senator Bailey: "I am glad to hear that this resolution is the only thing that causes confusion in your mind, I thought maybe it was more than that. I think this would be up to the Chair to rule on what we would consider but I think, Senator Lewis, that the confirmations are a matter that only the Senate deals with and has nothing to do with the House and therefore not the subject of the concurrent resolution. That would be my feeling but it would be up to the Lieutenant Governor to rule on whether this were true or not.

"In further answer, I think we do have one hundred and twenty community college confirmations which we are moving out and we have worked out a procedure on it. I don't believe that these would be under the deadline as far as I can see. It would be up to the Lieutenant Governor to rule, as the presiding officer."

REPLY BY THE PRESIDENT

The President: "Senator Lewis, the President believes the confirmations could be considered by the Senate if it desires to do so right up until the adjournment Friday night."

SENATE BILL NO. 288, by Senators Sandison and McCormack:

Clarifying the position covered by the definition of faculty appointment as applies to community colleges.

REPORT OF STANDING COMMITTEE

January 24, 1970.

SENATE BILL NO. 288, clarifying the position covered by the definition of faculty appointment as applies to community colleges (reported by Committee on Higher Education and Libraries):

Recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "have had or" and before "have status" strike "does" and insert "do"

On page 2, section 2, delete all of lines 14 through 21 and insert the following:

"[Faculty members currently] All employees of a community college district, except presidents, who were employed in the [state system of community colleges who come under the provisions of RCW 28.67.070 and of RCW 28.85.850 through 28.85.869] community college district at the effective date of chapter 283, Laws of 1969 ex. sess. and who hold or have held a faculty appointment with the community college district or its predecessor school district shall be granted tenure by their appointing authority notwithstanding any other provision of RCW 28.85.850 through 28.85.869."

On page 3, section 3, line 1, after "have had or" and before "have status" strike "does" and insert "do"

On page 3, section 4, delete all of lines 20 through 27 and insert the following:

"[Faculty members currently] All employees of a community college district, except presidents, who were employed in the [state system of community colleges who come under the provisions of RCW 28A.67.070 and of RCW 28B.50.850 through 28B.50.869] community college district at the effective date of chapter 283, Laws of 1969 ex. sess. and who hold or have held a faculty appointment with the community college district or its predecessor school district shall be granted tenure by their appointing authority notwithstanding any other provision of RCW 28B.50.850 through 28B.50.869."

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendments were adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 288 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 288, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson-46.

Absent or not voting: Senator Pritchard-1.

Excused: Senators Greive, Woodall-2.

ENGROSSED SENATE BILL NO. 288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by executive request):

Creating a department of social and health services.

MOTION

On motion of Senator Talley, Senate Bill No. 52 was ordered to hold its place on the second reading calendar for Friday, January 30, 1970.

SENATE BILL NO. 324, by Senators Sandison, Lewis (Harry), Atwood, Guess and Washington:

Providing for retirement plans for state college employees.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Senate Bill No. 324 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 324, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Twigg, Walgren, Washington, Williams, Wilson—43.

Absent or not voting: Senators Marquardt, Pritchard, Stender, Talley—4.

Excused: Senators Greive, Woodall—2.

SENATE BILL NO. 324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 103, by Senators Day and Woodall:

Authorizing disability insurance payments for chiropractic services.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Senate Bill No. 103 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 103, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Twigg, Washington, Wilson—42.

Voting nay: Senators Newschwander, Walgren, Williams—3.

Absent or not voting: Senators Pritchard, Talley—2.

Excused: Senators Greive, Woodall—2.

SENATE BILL NO. 103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 101, by Senators Walgren and Andersen:

Establishing procedures and setting requirements for possession of poisonous and dangerous drugs.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 101 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 101, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon,

McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson—43.

Absent or not voting: Senators Bailey, Matson, Pritchard, Talley—4.

Excused: Senators Greive, Woodall—2.

SENATE BILL NO. 101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 80, by Senators Walgren, Twigg, Andersen, Durkan and Mardesich (by Municipal Committee request):

Establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency.

MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 80 was substituted for Senate Bill No. 80, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, the following amendment was adopted:

On page 3, section 8, line 6, after "drug" and before "activities" insert "and other criminal"

On motion of Senator Walgren, the rules were suspended, Engrossed Substitute Senate Bill No. 80 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 80, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Greive, Woodall—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

MOTIONS

On motion of Senator Gissberg, Senate Bill No. 58 was ordered to hold its place on the second reading calendar for Friday, January 30, 1970.

At 3:55 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Friday, January 30, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

NINETEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 30, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Twigg and Woodall. On motion of Senator Atwood, Senator Woodall was excused. On motion of Senator Andersen, Senator Twigg was excused.

The Color Guard, consisting of Pages Jeff Leitzinger, Color Bearer, and Gwen Von Arb presented the Colors. Reverend Walter MacArthur, pastor of First United Methodist Church of Olympia, offered prayer as follows:

"In our modern day of freedom, Great God; make us so free that we will want, and seek to do Thy will and thus avoid the errors of the past. Thou hast set us in the midst of challenge. There are things to be done; problems to be solved; quandaries of mind that demand solution. Equip us with the spirit to conquer. Grant us the determination to stay at the task until real victory is ours. Strengthen our conviction that Thy hand is upon us, to lead us and use us in working out Thy great purposes in our world. Give us now the assurance that Thou dost work in everything for good, with those who love Thee. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 30, 1970.

SENATE BILL NO. 49, providing for the location and regulation of thermal power facilities (reported by Committee on Natural Resources, Fisheries and Game):

Recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Metcalf, Odegaard, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE BILL NO. 133, providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: That Substitute Senate Bill No. 133 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Mardesich, Chairman; Cooney, Day, Foley, Gissberg, Greive, Keefe, Knoblauch, Ryder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 28, 1970.

SENATE BILL NO. 134, adding qualifying experience for eligibility for appointment as supervisor of savings and loan associations (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Mardesich, Chairman; Andersen, Cooney, Day, Foley, Gissberg, Keefe, Knoblauch, Ryder, Stortini, Twigg.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE BILL NO. 189, increasing license fees of business and professions (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: That Substitute Senate Bill No. 189 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Mardesich, Chairman; Andersen, Cooney, Day, Gissberg, Keefe, Knoblauch, Ryder, Stortini, Twigg.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE BILL NO. 206, relating to community colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Foley, Holman, Lewis (Harry), McCormack, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE BILL NO. 208, relating to municipal corporations and other public agencies (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: That Substitute Senate Bill No. 208 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, Guess, Mardesich, Peterson (Ted), Pritchard, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 311, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreation areas and providing for a vote of the people (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Durkan, Henry, Huntley, Lewis (Harry), Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 315, permitting interest coupons to be used as an instrument of payment (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Durkan, Henry, Huntley, Lewis (Harry), Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Durkan, Henry, Huntley, Lewis (Harry), Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 318, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Durkan, Henry, Huntley, Lewis (Harry), Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE BILL NO. 322, relating to community colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: That Substitute Senate Bill No. 322 be substituted therefor, and that the substitute bill do pass.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Foley, Holman, Lewis (Harry), McCormack, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 323, pertaining to the deposit and investment of public funds (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Day, Henry, Huntley, Lewis (Harry), Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENT

January 30, 1970.

JOHN STRACHAN, to the position of Trustee of the Community College District No. 3, appointed by the Governor on January 26, 1970 for the term ending April 3, 1971, succeeding Jay Hamilton (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Foley, Holman, Lewis (Harry), McCormack, Wilson.

Passed to Committee on Rules and Joint Rules.

MOTION

On motion of Senator Greive, Engrossed Senate Joint Resolution No. 4 and the motion for reconsideration by Senator Woodall was made a special order of business for 11:30 a.m. today.

SECOND READING

SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by executive request):

Creating a department of social and health services.

The Senate resumed consideration of Senate Bill No. 52.

MOTION

Senator Ridder moved that the floor amendments to Senate Bill No. 52 be considered before the committee amendments.

POINT OF INFORMATION

Senator Day: "Has the body voted on this motion?"

REPLY BY THE PRESIDENT

The President: "The President asked if there were any objections and hearing none, the President said it would be so ordered, Senator Day."

MOTION

Senator Day moved that the Senate reconsider the motion by Senator Ridder that the committee amendments be considered after the floor amendments.

POINT OF INFORMATION

Senator McCormack: "Mr. President, do the rules provide for a reconsideration of such a motion? Would not the motion be to simply revert the previous position of the body?"

REPLY BY THE PRESIDENT

The President: "Yes, Senator McCormack, the President felt that he acted hastily upon the motion by Senator Ridder in not giving Senator Day a full opportunity to express himself."

PARLIAMENTARY INQUIRY

Senator Greive: "I have no particular interest in this bill but I have some questions about the President's reply. I would like to get it clear in my mind because it will be for future bills. It is my understanding under Rule 61 that a bill has to be read section by section and is subject to amendment. We ignore that, however, and I think by everybody's agreement but it would seem to me technically that unless some motion were made, we would have to read the bill section by section whether with a committee amendment or any other kind of an amendment. It would have to come when the proper amendment came on.

"If two amendments were of the same quality, if you had a floor amendment and a committee amendment, I can see no reason why a committee amendment should not take precedence under those circumstances. I think we ought to establish our rules so that when some area that may become highly technical and highly important comes along, we would know.

"I would like to have this clarified not for this bill as far as I am concerned but only because I would want to know what the procedure would be in the future."

Senator Ridder: "Actually in the amendments before you, that long list by myself, we start right in with section one and we begin amending early. The committee amendment comes much later in the bill and I think we are going to follow a natural order. We should take up this long list of amendments first so that it follows in a natural sequential order."

Debate ensued.

The motion by Senator Ridder lost on a rising vote.

REPORT OF STANDING COMMITTEE

January 28, 1970.

SENATE BILL NO. 52, creating a department of social and health services (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendments:

On page 6, section 6, line 22, following "divisions" and before the period insert ", including a division of vocational rehabilitation, with an assistant secretary thereof as provided in section 7 of this 1970 amendatory act, such secretary hereafter in sections 42 and 43 of this 1970 amendatory act referred to as "his designee" "

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

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, McCutcheon, McDougall, Odegaard, Peterson (Lowell).

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment to page 6.

Debate ensued.

Senators Bailey, Atwood and Dore demanded the previous question and the demand was sustained.

Senator Ridder demanded a roll call and the demand was sustained by Senators Dore, Guess, Faulk, Bailey, Greive, Metcalf, Sandison, Andersen and Pritchard.

ROLL CALL

The Secretary called the roll and the committee amendment to page 6 was adopted by the following vote: Yeas, 37; nays, 8; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Herr, Holman, Keefe, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Washington, Williams, Wilson—37.

Voting nay: Senators Durkan, Greive, Guess, Knoblauch, Ridder, Sandison, Stender, Talley—8.

Absent or not voting: Senators Henry, Huntley—2.

Excused: Senators Twigg, Woodall—2.

On motion of Senator Day, the committee amendment to page 7 was adopted.

MOTION

Senator Bailey moved that the rules be suspended, debate limited to five minutes per subject and no yielding on Friday, January 30, 1970, and Saturday, January 31, 1970.

POINT OF INQUIRY

Senator Gissberg: "Will Senator Bailey yield? Senator Bailey, by that do you mean that a senator would be precluded from . . . Let's say that there is a particular bill, and he speaks five minutes on amendments. Is he precluded under that motion from speaking further?"

Senator Bailey: "Mr. President, I think the practice has been that they can speak on each amendment. I thought, and I did not think it was confined to one five-minute. . . ."

Senator Gissberg: "So did I."

The motion carried on a rising vote.

Senator Ridder moved adoption of the following amendments:

On page 4, section 1, line 21, after the comma after "care" and before "or other" strike "rehabilitation"

On page 4, section 1, line 27, after "council" and before the period on line 28 strike "and the division of vocational rehabilitation of the coordinating council on occupational education"

On page 4, section 1, line 26, after the comma after "institutions" and before "the veterans" insert "and"

On page 5, section 3, line 16, after "council" and before "are transferred" in line 18 strike "and the division of vocational rehabilitation of the coordinating council on occupational education"

On page 5, section 3, line 16, after the comma after "stitutions" and before "the veterans" insert "and"

On page 6, section 6, line 32, after "council" and before the period on line 33 strike "and the division of vocational rehabilitation of the coordinating council on occupational education"

On page 6, section 6, line 31, after the comma after "institutions" and before "the vet-" insert "and"

On page 20, section 26, line 12, after the comma after "education" strike "[vocational rehabilitation,]" and insert "vocational rehabilitation,"

Beginning on page 24, line 20, strike sections 37 through 43 and renumber the remaining sections consecutively.

On page 28, section 44, line 28, after the comma after "council" and before "shall" on line 30, strike "or the division of vocational rehabilitation of the coordinating council on occupational education,"

On page 28, section 44, line 28, before "the veterans" insert "or"

On page 29, section 45, line 2, after the comma after "council" and before "except those" on line 4, strike "and the division of vocational rehabilitation of the coordinating council on occupational education,"

On page 29, section 45, line 2, after the comma after "assistance" and before "the veterans" insert "and"

On page 29, section 46, beginning on line 18, strike "and the division of vocational rehabilitation of the coordinating council on occupational education,"

On page 29, section 46, line 17 after the comma after "institutions" and before "the veterans" insert "and"

On page 30, section 49, beginning on line 32 strike "(4) The division of vocational rehabilitation of the coordinating council for occupational education."

On page 32, beginning on line 14, strike sections 52 through 55 of the printed bill and renumber the remaining sections consecutively.

On pages 37 and 38, section 60, beginning on line 28, strike subsections (14) through (19) and renumber subsection (20) as subsection (14)

On page 39, beginning on line 26 strike section 65 of the printed bill and renumber the remaining sections consecutively.

On page 39, section 66 of the printed bill, line 33, after the comma after "30" strike "40, 42 through 49, and 61 through 63" and insert "37 through 42, and 50 through 53"

Debate ensued.

POINT OF INQUIRY

Senator McCutcheon: "Will Senator Atwood yield? What is a task force? Where did they come from? What hole did they crawl out of?"

Senator Atwood: "If you were on the floor yesterday, I went through the membership, Senator. It was appointed by the Governor, composed of a broad section of executives and academic personnel. If you wish, I could supply you the names of the people. . . ."

Senator McCutcheon: "I think you may stop now."

Senator Faulk moved that the amendments by Senator Ridder be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Durkan, Faulk, Sandison, Lewis (Harry), Herr, McCormack, Stender, Henry and Newschwander.

ROLL CALL

The Secretary called the roll and the amendments by Senator Ridder were laid upon the table by the following vote: Yeas, 25; nays, 22; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Day, Donohue, Elicker, Faulk, Francis, Gissberg, Herr, Holman, Huntley, Keefe, Lewis (Brian), Lewis (Harry), McDougall, Marquardt, Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stortini, Williams—25.

Voting nay: Senators Bailey, Connor, Cooney, Dore, Durkan, Foley, Greive, Guess, Henry, Knoblauch, McCormack, Mardesich, Metcalf, Odegaard, Ridder, Sandison, Stender, Talley, Twigg, Walgren, Washington, Wilson—22.

Absent or not voting: Senator McCutcheon—1.

Excused: Senator Woodall—1.

On motion of Senator Day, the following amendments were adopted:

On page 36, following section 59 add two new sections as follows:

"Sec. 61. Section 1, chapter 169, Laws of 1953 and RCW 72.01.042 are each amended to read as follows:

The hours of labor for each full time employee [of] *transferred under the provisions of this 1970 amendatory act* from the department of institutions shall be a maximum of eight hours in any work day and forty hours in any work week.

Employees *transferred under the provisions of this 1970 amendatory act from the department of institutions* and required to work in excess of the eight-hour maximum per day or the forty-hour maximum per week shall be compensated by not less than equal hours of compensatory time off or, in lieu thereof, a premium rate of pay per hour equal to not less than one-one hundred and seventy-sixth of the employee's gross monthly salary: PROVIDED, That in the event that an employee is granted compensatory time off, such time off should be given within the calendar year and in the event that such an arrangement is not possible the employee shall be given a premium rate of pay: PROVIDED, FURTHER, That compensatory time and/or payment thereof shall be allowed only for overtime as is duly authorized and accounted for under rules and regulations [to be] established by the director of institutions *prior to the effective date of this 1970 amendatory act or as the same are hereinafter amended under rules and regulations promulgated hereunder.*

Sec. 62. Section 2, chapter 169, Laws of 1953 and RCW 72.01.043 are each amended to read as follows:

RCW 72.01.042 shall not be applicable to the *following designated personnel transferred from the department of institutions under the provisions of this 1970 amendatory act*: Administrative officers of the department [of institutions]; institutional superintendents, medical staff other than nurses, and business managers; and such professional, administrative and supervisory personnel as designated *prior to the effective date of this 1970 amendatory act* by the department of institutions with the concurrence of the merit system board having jurisdiction."

Renumber the remaining sections consecutively.

On page 37, section 60, beginning on line 8, strike all of subsection (4) and renumber the remaining sections consecutively. On page 2, line 11 of the title after the semicolon and before "amending" insert "amending sections 1 and 2, chapter 169, Laws of 1953 and RCW 72.01.042 and 72.01.043;"

On page 3, line 11 of the title after the semicolon after "RCW 72.01.040" and before "repealing" on line 13, strike "repealing section 1, chapter 169, Laws of 1953 and RCW 72.01.042; repealing section 2, chapter 196, Laws of 1953 and RCW 72.01.043;"

Senator Day moved that the rules be suspended, Engrossed Senate Bill No. 52 be advanced to third reading.

Debate ensued.

Senator Ridder demanded a roll call and the demand was sustained by Senators Dore, Talley, McCormack, Sandison, Henry, Guess, Metcalf, Knoblauch and Durkan.

ROLL CALL

The Secretary called the roll and Engrossed Senate Bill No. 52 was advanced to third reading by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Day, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Twigg, Williams, Wilson—32.

Voting nay: Senators Bailey, Cooney, Dore, Durkan, Greive, Guess, Henry, Herr, Keefe, Knoblauch, McCutcheon, Ridder, Sandison, Talley, Walgren, Washington—16.

Excused: Senator Woodall—1.
Debate ensued.

POINTS OF INQUIRY

Senator Bailey: "Will Senator Faulk yield? Senator Faulk, is it the intent of the authors of this bill or the people supporting it that you make the Veterans' Rehabilitation Council a subsidiary group, more or less a satellite of the welfare program?"

Senator Faulk: "I do not think that is the intent, Senator. That is not my intent. It is not stated that way in the bill. The bill as you know was drafted by the Governor's office; and I would say no, that is not the intent of the bill. I do not know how else to answer you, Senator."

Senator Bailey: "Senator Faulk, is it the intent of the Governor's office then to make the Veterans' Rehabilitation Council budget subject to recommendations by the welfare department?"

Senator Faulk: "No, I would say not; and really, Senator Bailey, this idea that the budgets of health or that the budgets of both 'rehab' and the Veterans' Rehabilitation Council will be followed up by public assistance, I think, is really a new point. I do not think that we in the legislature or Senator Durkan of the Budget Committee, which I serve, are going to allocate a lump sum of money to this secretary. We are going to allocate it by program, and it is our judgment as to where we allocate the money. I just have to say I do not think that is possible. I do not think that is the intent. It is not my intent, and I do not think the legislature would allow it."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 52, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Day, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Washington, Williams, Wilson—27.

Voting nay: Senators Bailey, Connor, Cooney, Dore, Durkan, Greive, Guess, Henry, Herr, Keefe, Knoblauch, McCutcheon, Mardesich, Newschwander, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren—21.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Faulk moved that Engrossed Senate Bill No. 52 be immediately transmitted to the House.

POINT OF ORDER

Senator Greive: "Mr. President, this is not in a position to cut off a motion to reconsider simply because of Rule 31. Considering Rule 21, the progression of rules are such—and I think Reed's Rule 198 indicates—the highest governed. This is merely a motion to suspend rules, which is under incidental rules and Rule 21. A motion to reconsider is number two under privileged motions, and so the privileged motion would hold."

Senator Ryder: "Mr. President, I do not believe that a point of order has been raised on this; but I think that far from setting a precedent this has already been done two or three times. I think that Senator Faulk's motion is completely in order. There has been no motion to reconsider, and it appears to me that it is in order. The motion should be put."

Senator Greive: "The problem is very simple. If the effect of a motion is to cut off a motion of a higher priority, of course, it cannot be done unless you were to amend the rules."

RULING BY THE PRESIDENT

The President: "The President in order to clarify this situation would like to explain that in actuality immediate transmittal to the House does not necessarily have any

significant effect upon the legislation before the Senate. In the event that some member wishes to offer a notice of reconsideration any time before adjournment today, the motion may be put on a special order of business on the next working day and would be considered by members of the Senate and the President."

PARLIAMENTARY INQUIRY

Senator Gissberg: "I take it then that quite aside from this particular case that if a motion is made to immediately transmit a bill to the House and that carries or if the President as he sometimes does says there will be no objections and so orders that then the Secretary is not to carry out that order but rather he is to retain possession of the bill until the time of adjournment. That motion has been traditionally made in the past so that the bill can physically be taken by the Secretary and transmitted over to the House. Does that mean, therefore, that, henceforth, there will be no immediate transmission in the absence of suspension of the rules?"

Senator Greive: "As I pointed out previously, all of this is governed under Reed's Rule 198. That merely points out that a privileged motion governs. Then if you will look to our privileged motions under Rule 21, you will find that the motion to reconsider is number two. The motion to suspend rules is number three under reconsidered motions, so it would be impossible. That has always been the rule. This has come up before, and we have had exactly the same ruling. This is not the first time that the Governor has ruled just that way. It has always been, shall we say, public relations. I never felt that the motion meant anything. People make this motion all the time, but it does not have any effect."

Senator Ryder: "Then I am to take it that from now on this is a superfluous motion, that there is no reason or no effect in making the motion at all. In calling to your attention, members of the Senate, we do this on the last day quite frequently when the Secretary is instructed to physically carry the bill over so it can be considered by the other House before a deadline. If this has no effect, it should have no effect at that time either."

Senator Mardesich: "If this rule were to have no effect, then it is conceivable that fifty motions could be made in the last minute before midnight on all bills passed on the last day. Those bills would automatically be dead."

Senator Greive: "I think that if the senators will look they will find that there is a special rule for the last day as of the fiftieth day. We made it after the twentieth day; so after the twentieth day of this session, you will have that same rule."

Senator Day: "Mr. President, would the President restate the point of order that was made by Senator Greive so that we will finally understand what the ruling was. It is a little difficult for me to understand how we can reconsider something that is no longer in the possession of the Senate."

REPLY BY THE PRESIDENT

The President: "Senator Day, in the past this experience has occurred, namely that a bill has been physically transmitted to the House and then when someone entered a notice of reconsideration the Secretary would go over to the House and get the bill back. That is what would happen in this particular case, so that actually the motion to transmit immediately does not have any significant effect other than satisfy someone's inner conscience, something of that sort."

PARLIAMENTARY INQUIRY

Senator Day: "Mr. President, then in effect there is no motion that could be put that would stop reconsideration, the motion to reconsider or notice to reconsider?"

REPLY BY THE PRESIDENT

The President: "The President does not know of any except adjournment before someone gives notice of reconsideration."

PARLIAMENTARY INQUIRIES

Senator Greive: "I can help the Senator out. Traditionally in bodies of this sort, the proponents of a bill who do not want to reconsider move to reconsider themselves and take a second vote."

Senator Mardesich: "What is the ruling on the last day?"

Senator Day: "Does the motion to reconsider follow the rule that the person who gives notice must have voted on the prevailing side, or can any member give notice?"

REPLY BY THE PRESIDENT

The President: "The member giving notice must have voted on the prevailing side. In answer to Senator Mardesich's query, the President should like to respectfully direct Senator Mardesich's attention to Rule 31 of the Senate Rules. 'On or after the fiftieth day of the session, a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. The President does believe that in the event that a motion to immediately transmit a measure to the House carries the Senate and then the bill or measure is physically transported to the House and then the House acts upon it and passes it under those circumstances then, of course, you could not reconsider it; but on the last day you could reconsider any bill passed by the Senate up until adjournment.'"

PARLIAMENTARY INQUIRY

Senator McCormack: "It is a matter of practical logistics. If there is a motion to immediately transmit to the House and the bill is transmitted, then if the House reads it in, it is acting upon it, I presume, by reading it in. Therefore, I would presume that if there is a motion to immediately transmit and it carried, this motion would be carried out and the bill would be immediately transmitted giving the House an opportunity to act upon the bill immediately when it is in its physical possession. This would accelerate the action on the bill and decrease the time available for someone to make a motion to reconsider."

REPLY BY THE PRESIDENT

The President: "The President always endeavors to facilitate the legislative process, but the President is not going to make a ruling that would preclude any member of this body voting on the prevailing side from having the opportunity to give notice of reconsideration before adjournment on the day in which the bill was passed."

POINT OF INFORMATION

Senator Washington: "I have not taken part in this repartee up to this point but it seems to me that even if the House were to have a bill and were to act on it, it has to be passed by both Houses in order to become law. If we reconsidered the bill and then failed to pass it, it just would fail the passage whether it was over there or not. I do not see that there is any real problem."

REPLY BY THE PRESIDENT

The President: "The President has never known of an instance where the two Houses have not acted in a courteous manner toward each other and cooperated in this particular regard. The President believes that in the event that a bill is physically transmitted to the House and the Senate in its judgment wishes to reconsider the vote by which the measure was passed that the House would return the measure to the Secretary of the Senate. That has occurred on numerous occasions in the past."

The motion by Senator Faulk carried.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 58 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Mardesich: "Will Senator Greive yield? Senator Greive, is there a distinction between state-owned land and privately-owned land with respect to the six hundred foot?"

Senator Greive: "No, I do not believe there is as far as the six hundred foot; but there is a difference in the way they are handled. In the state-owned land, there would have to be a finding that the buildings do not specifically interfere with the view where in the case of privately-owned land it would be up to the zoning authority."

Senator Mardesich: "If you look to line twenty-five on page one, starting with line twenty-two it says 'No multiple story residences shall hereafter be constructed on the tidelands' and so on and the line below '... the ordinary high water mark or within six hundred feet thereof.' That is on state-owned land. I would assume that means that you cannot build out over the water on the shoreline up to six hundred feet back from the ordinary high water mark. Is that correct?"

Senator Greive: "Correct."

Senator Mardesich: "So that on state-owned land you could not build within six hundred feet of the water?"

Senator Greive: "That is correct. Oh, I see what you mean; yes, I misunderstood. If you are talking about the six hundred feet—and I should have listened a little more carefully—there is a distinction. The reason for that is that in some areas there has been considerable fill where it is state-owned land. For instance, Harbor Island has all been filled since then. We had some jurisdiction. They could not apply the same rules where people owned the land. All we could do there is merely place it back in the hands of the local zoning authority."

Senator Mardesich: "In the case of privately-owned land, the restriction is only on those lands lying below the ordinary high water mark?"

Senator Greive: "That is correct."

Senator Lewis (Brian): "Will Senator Greive yield? Senator, I understand that this bill applies only in Class AA counties, which, I presume, only means King county. From the arguments of Senator McDougall and some of your comments with regard to Hood Canal, does it then mean that in passing this bill affecting only King county the Senate is indicating that we are not concerned about preserving the amenities of shorelands along Hood Canal in Jefferson, Pacific, Grays Harbor, Snohomish, or Chelan counties? In all of the other counties of the state, it is fine to build multi-story residences out over the water but it is only in King county where we have big buildings, in fact, going on that it is a bad thing. Are we putting the Senate in an invidious position by voting for such a restrictive bill?"

Senator Greive: "Senator, I do not think anybody in this body has ever accused me of being anything other than practical. I happen to be one of the sponsors of the Seacoast Management Act, and this bill originally as we envisioned it was to apply to a lot of other areas. My primary concern certainly is with my own district and I feel that this is something that the people in Seattle generally want, the city does not oppose, and the port commission does not oppose. We think we have worked out all of the real opposition. When we start getting into other areas, I understand that the controversy waxes strong. I may have some views on other bills, yes; but it is rather foolhardy, I think, at this particular time to venture into other storms when I think I have something that should be reasonably easy for everyone to vote for that affects the area that primarily concerns me, namely west Seattle. I would also like to point out very briefly in answer to what Senator McDougall said, I think he rather misunderstands this particular legislation. This legislation does not go any further than the decision which he has indicated applies to the entire state. All this does is give us a little extra protection especially as far as state-owned lands are concerned in King county."

Further debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 58, and the bill passed the Senate by the following vote: Yeas 40; nays, 7; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Matson, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams—40.

Voting nay: Senators Faulk, Huntley, McDougall, Metcalf, Newschwander, Stender, Wilson—7.

Absent or not voting: Senator Gissberg—1.

Excused: Senator Woodall—1.

SENATE 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.

SENATE BILL NO. 146, by Senators Foley, Ryder and Walgren (by State Finance Committee request):

Authorizing the sale of bonds at the rate of interest considered by the issuing authority to be commensurate with current market conditions.

MOTION

On motion of Senator Walgren, Substitute Senate Bill No. 146 was substituted for Senate Bill No. 146, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Mardesich, the following amendment was adopted:

On page 120, beginning on line 30, strike all of sections 107 and 108.

Remember the remaining sections consecutively.

On motion of Senator Walgren, the rules were suspended, Engrossed Substitute Senate Bill No. 146 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Mardesich: "Will Senator Walgren yield? Senator Walgren, was there in the committee any discussion of some rate, affixing of some certain rate rather than the opening of the door wide open on this measure?"

Senator Walgren: "No."

Senator Mardesich: "Did not the committee consider any such subject matter at all?"

Senator Walgren: "No."

Senator Mardesich: "Could you explain to me what the theory was under which the legislature has in the past limited the rate to a specific amount?"

Senator Walgren: "No, I cannot speak for what the legislature did in the past."

Senator Mardesich: "Can you dream up any reasons why there might have been a limitation?"

Senator Walgren: "Oh, I suppose I could dream up some reasons. Yes, I think I probably could."

Debate ensued.

Senator Dore: "Will Senator Walgren yield? I just wonder when we take this ceiling off the interest rate, is there a usurious rate of twelve percent applying to these bonds or is this unlimited?"

Senator Walgren: "Right now we have a statute that limits it to not over twelve percent. We have another one that amends that section. It says in transactions over a hundred thousand the twelve percent rate does not apply. I assume that when we take the top off now, the six percent and eight percent, that they charge any rate at all. There is no limitation whatsoever."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 146, and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Walgren, Washington, Williams, Wilson—38.

Voting nay: Senators Day, Durkan, Faulk, Gissberg, Guess, McCormack, Marquardt, Newschwander, Twigg—9.

Absent or not voting: Senator Stender—1.

Excused: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE 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.

MOTION

At 12:30 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Andersen, Senator Lewis (Brian) was excused.

SECOND READING

SENATE BILL NO. 236, by Senators Greive, Day and Twigg:

Providing for acceptance of certain certificate of successful examination or proficiency in lieu of taking examination for certain healing professions.

Senators Henry, Ryder and Donohue demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Lewis (Brian) and Woodall, who had previously been excused.

On motion of Senator Henry, the Senate proceeded under the Call of the Senate.

REPORT OF STANDING COMMITTEE

January 28, 1970.

SENATE BILL NO. 236, providing for acceptance of certain certificate of successful examination or proficiency in lieu of taking examination for certain healing professions (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 5, line 30, after "the" strike "director" and insert "professional examining board or committee"

On page 2, section 5, line 33, after "the" strike "director" and insert "professional examining board or committee"

On page 3, section 5, beginning on line 22 after "practice" strike "medicine and surgery, osteopathy and surgery," before chiropractic on line 23.

On page 3, section 5, line 24 before the period following "1967" insert ": PROVIDED, That such applicant has been recommended for a waiver by the board of examiners of his respective profession, and that no license held by him from any jurisdiction has been revoked or renewal denied for any reason"

On page 3, section 5, following subsection (2), add new subsections as follows:

"(3) Who submits to the board of medical examiners satisfactory proof that such applicant has a diploma to practice medicine and surgery issued by a school of medicine prior to January 1, 1970 and approved by the board and meeting the requirements set forth in RCW 18.71.055.

(4) Who submits to the osteopathic examining committee satisfactory proof that such applicant has a diploma to practice osteopathic medicine and surgery issued by a school of osteopathic medicine and surgery prior to January 1, 1970 and approved by the committee and meeting the requirements set forth in RCW 18.57.020."

On page 3, following section 5, add a new section as follows:

"Sec. 6. Section 14, chapter 5, Laws of 1919 and RCW 18.25.040 are each amended to read as follows:

Persons licensed to practice chiropractic under the laws of any other state having equal requirements of this chapter, may, in the discretion of the [director] board of chiropractic examiners, and after examination by the board in principles of chiropractic and adjusting, as taught by chiropractic schools and colleges, be issued a license to practice in this state without examination, upon payment of the fee of twenty-five dollars as herein provided."

In the title, on page 1, line 8, following "RCW;" and before "add" insert "amending section 14, chapter 5, Laws of 1919 and RCW 18.25.040;"

Signed by: Senators Day, Chairman; Elicker, Holman, Keefe, McCutcheon, Newschwander, Odegaard.

The bill was read the second time by sections.

On motion of Senator Day, all committee amendments were adopted with the exception of the amendment to page 3, section 5, following subsection (2).

On motion of Senator Day, the committee amendment to page 3, section 5, following subsection (2) was not adopted.

President Pro Tempore Henry assumed the Chair.

On motion of Senator Day, the following amendments were adopted:

On page 1, beginning on line 22, strike all of section 2, down to and including line 5, page 2 and renumber the remaining sections consecutively.

On page 3, sec. 5 (b), line 10, after "the" strike "American Medical Association's"

On page 3, sec. 5 (b), lines 11 and 12, after "Examiners" strike "in accordance with the provisions of section 2 of this act"

On page 3, sec. 5 (2), line 24, after "1967" strike the period and insert "; or"

On page 3, line 25, add two new subsections as follows: "(3) Who submits to the board of medical examiners satisfactory proof that such applicant has a diploma to practice medicine and surgery issued by a school of medicine prior to January 1, 1970, and approved by the board prior to January 1, 1970, and meeting the requirements set forth in RCW 18.71.055; or

(4) Who submits to the osteopathic examining committee satisfactory proof that such applicant has a diploma to practice osteopathic medicine and surgery issued by a school of osteopathic medicine and surgery, prior to January 1, 1970, and approved by the committee prior to January 1, 1970, and meeting the requirements set forth in RCW 18.57.020."

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, the rules were suspended, Engrossed Senate Bill No. 236 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

President Cherberg resumed the Chair.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 236, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Excused: Senators Lewis (Brian), Woodall—2.

ENGROSSED SENATE 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.

MOTIONS

On motion of Senator Ryder, the Senate dispensed with the Call of the Senate.

At 2:00 p.m., on motion of Senator Greive, the Senate recessed until 2:35 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:35 p.m.

Senators Ryder, Newschwander and Durkan demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Woodall who had been previously excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTIONS

On motion of Senator Ridder, the Committee on Education was relieved of further consideration of Senate Bill No. 170.

On motion of Senator Ridder, Senate Bill No. 170 was referred to the Committee on Ways and Means—Appropriations.

SECOND READING

SENATE BILL NO. 68, by Senators Pritchard, Bailey and Holman:
Relating to abortion and providing for a referendum.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 68, relating to abortion and providing for a referendum (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 2, line 18, after "pregnancy" and before "may" insert "of a woman not quick with child" and on line 18, after "terminated" and before "only" insert "under this act", and on line 18, after "only" insert ": (a) with her prior consent and, if married and residing with her husband or unmarried and under the age of eighteen years, with the prior consent of her husband or legal guardian, respectively, (b) if the woman has resided in this state for at least ninety days prior to the date of termination, and (c)"

Signed by: Senators Andersen, Atwood, Durkan, Francis, Holman, McCormack, Walgren, Williams.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment.

Senator Day moved adoption of the following amendment to the committee amendment:

On line 2 of the committee amendment, after "of a woman not quick with child" insert "and not more than four lunar months after conception"

Debate ensued.

POINTS OF INQUIRY

Senator Day: "Will Senator Pritchard yield? I would be glad to withdraw the amendment if you can define adequately for the record as legislative intent what 'quick with child' means."

Senator Pritchard: "In asking the medical people, this is a problem here. I asked that question, and they said that the doctors could tell that there was movement and that the doctors can tell 'quick with child.' In my opinion it is when there is life, and that is when there is movement in the child. Both the mother and the doctor can tell this, and it has been enforced in law since going clear back into early English time. If this does not satisfy you and you feel that this is going to help the bill, I am not going to pick at this thing."

Senator Day: "This is getting to the core of the situation. Actually this has never been properly defined, and I do not think it can be. Something that is growing is alive is what you are really saying. If it starts making movement, then it is more alive."

Senator Pritchard: "I do not know if we want to get into the full discussion on that. I think this is something you know that is in the law. It is in the criminal law."

Senator Day: "Well, of course, I cannot see why not; all I am trying to do is at least make this conform with medical language that an abortion is the loss of a pregnancy in the first four lunar months. That is all this amendment intends to do, but this business of allowing anyone's determination of when quickening begins—and that is just what your answer just was to me. . . ."

Senator Pritchard: "I am saying the doctor and the mother."

Senator Day: "Of course, I do not see the doctor as having any great halo around his head. The fact in the Oath of Hippocrates, which they have apparently given up, states very specifically that he will give no deadly drug though it be asked of him 'nor will I counsel such and especially I will not aid a woman to procure an abortion.' Apparently they have given that up. To me they are body mechanics. They have varied degrees of judgment; and, of course, what you are telling me here is that those varied degrees of judgment now are going to apply to whether this quickening is three lunar months, seven lunar months, or when?"

Senator Pritchard: "As you and I know, it is about four months. Of course, as far as giving judgment, this is really what a doctor does. It is what you do, a lawyer does. They give judgment. In medicine certainly judgment is the factor. Now what I would like to

know; if you feel that this is going to make this bill better so that possibly you could support it. . . .”

Senator Day: “Of course, I am not going to support this particular bill; but I do feel that this does perfect the language so that at least for the benefit of the people who it is going to affect, there will be some specifics in here as to what constitutes an abortion. That is what I said in my argument. The act, the first line says ‘an act relating to abortion.’ I think that what this does is define at what period in the pregnancy it is an abortion. After the fourth lunar month medically speaking, it is no longer an abortion. It is a miscarriage. That is all this does, is add the language it says and brings it into conformity with that.”

Senator Pritchard: “Senator, I think you are drawing the line not further nor shorter. I am going to oppose this amendment on this case not because I am in such disagreement with Senator Day; but in consultation with the medical society of this state, they feel that quickening with child is a better definition. It might be three and three-quarter months. It might be four and one-fourth months, but it is a medical situation. For that reason I am going to oppose this amendment. In truth there is very little difference here between what Senator Day is trying to do and what I am offering. He is making an amendment to Senator Gissberg. I imagine they discussed this in the Judiciary Committee, so I am going to support Senator Gissberg’s amendment in this case. I hope you will vote Senator Day’s amendment down.”

Senator Day: “Mr. President, I would just like to read again so that this will be very clear. It is adding to ‘of a woman not quick with child’ and not more than four lunar months after conception.’ What you are really saying here is that they can determine this ‘quick with child’ as less than four months if they want to but not more than four months. That is all this says.”

Debate ensued.

POINT OF INQUIRY

Senator Dore: “Will Senator Pritchard yield? Senator Pritchard, you said that if we could define the definition in the record perhaps we would not need Senator Day’s amendment. Did I understand you correctly to define ‘quickening’ in the act as a sponsor of this bill to be when life exists or begins? Putting it in words, Senator, you said ‘where there is life.’ Is that your definition of it?”

Senator Pritchard: “Senator, if you are going to attempt to involve me into a discussion here of when there is life and the details, I do not think that is really the issue. I do not think you and I are going to really solve much by getting into some discussion on the moment of life if that is what you are driving at.”

Senator Dore: “I am just trying to clarify, I have down in my notes and assume the court reporter has in hers. . . .”

Senator Pritchard: “This is not the court reporter.”

Senator Dore: “Well, Senate recorder. ‘There is life.’ There you define, as a sponsor of the bill, as a quickening of the fetus when there is life. Is that correct? Is that wrong, or not?”

Senator Pritchard: “Senator, I’m just not going to get into the discussion and cross-examination on something that I just don’t think pertains to this.”

Senator Dore: “You said that, didn’t you?”

Senator Pritchard: “I’m just not going to get into that discussion. I don’t think it is fruitful at all at this time.”

The amendment to the committee amendment was adopted on a rising vote.

The committee amendment, as amended, was adopted.

Senator Holman moved adoption of the following amendment:

On page 2, line 10, insert as section 4 the following:

“NEW SECTION. Sec. 4. If any provision of this act, or its application to any person or circumstance, is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.”

Renumber the remaining section.

Debate ensued.

The motion carried and the amendment was adopted.

Senator Gissberg moved adoption of the following amendment:

On page 2, line 10, insert a new section 5 as follows:

“NEW SECTION. Sec. 5. No public funds may be used to pay for medical or hospital expenses incurred by reason of termination of pregnancies under this act.”

Debate ensued.

The motion lost and the amendment was not adopted on a rising vote.

Senator Dore moved adoption of the following amendment:

On page 2, section 4, line 16, after “thereof,” add “In no event shall this act go into effect until adopted by a vote of the people as provided in this section.”

Debate ensued.

POINT OF INQUIRY

Senator Andersen: "Will Senator Gissberg yield? I ask this question for the purpose of clarifying the record, Senator Gissberg, as the question and answer will appear on the Journal of the Senate. After the discussion that Senator Dore has mentioned, the questions that were raised as I recall by myself in Judiciary Committee, did you have the matter researched out to insure that this act will not go into effect until there has been a vote of the people?"

Senator Gissberg: "Yes, I did and I have before me a letter from the office of the Attorney General dated January 29, 1970, directed to me and if I may with the permission of the Senate read it into the record."

OFFICE OF THE ATTORNEY GENERAL
SLADE GORTON ATTORNEY GENERAL
TEMPLE OF JUSTICE OLYMPIA, WASHINGTON 98501

January 29, 1970.

Honorable W. A. Gissberg
State Senator, 39th District
Legislative Building
Olympia, Washington 98501

Dear Sir:

This is written in response to your recent request for an opinion of this office on the following question:

"If Senate Bill 68 passes both Houses of the Legislature, will it be law at any time prior to 30 days after the election called for in Section 4 of the bill?"

We answer this question in the negative for the reasons set forth below.

Senate Bill 68 is entitled "AN ACT Relating to abortion." It contains three sections adding new provisions to chapter 249, Laws of 1909 and chapter 9.02 RCW — relating to the crime of abortion. In addition, the bill contains a fourth section which reads as follows:

"This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November 1970, in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Pursuant to this last-quoted section, Senate Bill 68, if passed by both Houses of the Legislature, will become a referendum bill within the purview of Amendment 7 to our state constitution. As such, it will not be subject to the veto power of the governor under Article III, section 12 of the constitution. See, *State ex rel. Lofgren v. Kramer*, 69 Wn. 2d 219, 417 P. 2d 837 (1966). Instead of being submitted to the governor for his approval or veto under Article III, section 12, the bill will go before the people for their approval or disapproval (in lieu of that of the governor) at the November 1970 general election — as specifically provided in subsection (d) of Amendment 7.

Speaking, *inter alia*, of measures so referred, this subsection of Amendment 7 expressly delineates their effective dates as follows:

"... Such measure[s] shall be in operation on and after the thirtieth day after the election at which ... approved. ..."

In the meantime — i.e., between the time of passage by the House and Senate and the thirtieth day following approval by the voters, a referendum bill submitted to the people under Amendment 7 is totally inoperative and of no legal effect whatsoever. Accord, *Wynand v. Dept. of Labor & Industries*, 21 Wn. 2d 805, 153 P. 2d 302 (1944).

We trust the foregoing will be of assistance to you.

Very truly yours,
FOR THE ATTORNEY GENERAL
PHILIP H. AUSTIN
Assistant Attorney General.

Senator Gissberg: "Senator Dore's amendment is probably unconstitutional in itself since his amendment would have it go into effect at the election, and the Constitution says it shall not go into effect until thirty days after the approval of the people. Therefore, I do not believe that it is necessary."

There being no objection, Senator Dore withdrew his amendment.

Senator Talley moved adoption of the following amendment:

On page 2, line 17, add a new section to read as follows:

"NEW SECTION. Sec. 7. In the event that the people shall adopt and ratify this act at the next general election then the act shall become effective on July 1, 1999."

Debate ensued.

On motion of Senator Bailey, the amendment was laid upon the table.

Senator Bailey moved that the rules be suspended, Engrossed Senate Bill No. 68 be

advanced to third reading, the second reading considered the third, and the bill placed on final passage.

Debate ensued.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Talley, Sandison, Ridder, Dore, McCutcheon, Faulk, Peterson (Lowell), Pritchard and Williams.

ROLL CALL

The Secretary called the roll and the motion to advance to third reading and final passage carried by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Donohue, Durkan, Elicker, Faulk, Francis, Henry, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson—32.

Voting nay: Senators Connor, Cooney, Day, Dore, Foley, Gissberg, Greive, Guess, Herr, Keefe, Knoblauch, McCutcheon, Mardesich, Ridder, Sandison, Talley—16.

Excused: Senator Woodall—1.

Further debate ensued.

POINT OF ORDER

Senator Mardesich: "There was an amendment to our rules adopted January 14, 1970 and reading as follows: 'The calendar except in emergent situations as determined by the Committee on Rules and Joint Rules shall be on the desk of the senators each morning and shall cover the bills for consideration on the next following day.' It was my understanding that there should be a twenty-four hour period of notice before any matter could be considered. If I recall correctly, I sat here yesterday afternoon waiting for the Rules Committee to complete its action and return to the floor; and the body itself did not adjourn until after 4:30 yesterday. It was some time thereafter that Rules came out. It was about forty minutes later to be exact and some time after that before we even had a flash calendar, and I wonder now whether we are not out of order even considering this measure before about 5:00."

Debate ensued.

RULING BY THE PRESIDENT

The President: "Senator Mardesich, the President in ruling upon your point of order recalls that this question was brought up at the time prior to the adoption of the Rule. The President at that time diligently studied this particular Rule and recalls vividly that the Rule states 'day' and not 'twenty-four hours.' The Webster's Seventh New Collegiate Dictionary states the mean solar day of twenty-four hours beginning at mean midnight. The President believes that if the members wish to have it twenty-four hours, they should have said solar day. The President construed day to mean a decent interval of time between the establishment of the calendar by the Rules Committee and the convening of the Senate."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 68, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Donohue, Elicker, Francis, Henry, Holman, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Walgren, Washington, Williams, Wilson—25.

Voting nay: Senators Canfield, Connor, Cooney, Day, Dore, Durkan, Faulk, Foley, Gissberg, Greive, Guess, Herr, Huntley, Keefe, Knoblauch, McCutcheon, Mardesich, Marquardt, Matson, Ridder, Sandison, Talley, Twigg—23.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 68, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 81, by Senators Twigg and Bailey:

Increasing fees of county clerks.

The bill was read the second time by sections.

On motion of Senator Twigg, the rules were suspended, Senate Bill No. 81 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 81, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Francis, Guess, Henry, Herr, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—34.

Voting nay: Senators Andersen, Durkan, Foley, Gissberg, Greive, Holman, Huntley, Keefe, McCormack, Mardesich, Marquardt, Newschwander, Sandison—14.

Excused: Senator Woodall—1.

SENATE BILL NO. 81, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

SENATE BILL NO. 226, by Senators Washington, Bailey, Huntley and Guess:
Renumbering the state highway routes.

MOTION

On motion of Senator Washington, Substitute Senate Bill No. 226 was substituted for Senate Bill No. 226 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Washington, the rules were suspended, Substitute Senate Bill No. 226 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 226, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson—43.

Absent or not voting: Senators Durkan, Henry, Marquardt, Ryder, Talley—5.

Excused: Senator Woodall—1.

SUBSTITUTE SENATE BILL NO. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Holman; Senate Bill No. 40 was ordered placed immediately following Senate Bill No. 216 on the second reading calendar for Saturday, January 31, 1970.

SENATE BILL NO. 87, by Senators Lewis (Brian), Andersen and Knoblauch:
Establishing Lake Washington State Park and Nature Conservation Area.

REPORT OF STANDING COMMITTEE

January 29, 1970.

SENATE BILL NO. 87, establishing Lake Washington State Park and Nature Conservation Area (reported by Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike all of section 1, and renumber the remaining sections consecutively.

Signed by: Senators Wilson, Chairman; Canfield, Lewis (Brian), Lewis (Harry), Pritchard.

The bill was read the second time by sections.

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 87 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Lewis (Harry): "Will Senator Lewis (Brian) yield? Senator Lewis, I understand the need for this as well as the need throughout the state for this type of area. Can you tell me, is there any intention or would this bill in any way preempt or establish priorities for this park and nature conservation area ahead of already pre-established state parks and recreation areas including the development thereon?"

Senator Lewis (Brian): "It is my understanding, Senator, that it would not. As you know, the Governor, recently recommended a curtailment of some 1.6 million dollars worth of development funds for already established state parks. I am sure that the priorities would indicate inasmuch as those have already been the concern of the legislature that all of those should be attended to before we would come to this."

Senator Stender: "Will Senator Lewis (Brian) yield? Maybe Senator Andersen would know this one better, but aren't there already some parks staked out there on Mercer Island a short distance from this other location? Are you aware of that? Wasn't there some area in there that was reserved for a park a session or two ago?"

Senator Lewis (Brian): "Senator, there is a small area on the north end of Mercer Island. I think you are referring to the former Luther Burbank School site that is a King county park. That can be described as, shall we say, a gently rolling, grassy terrain. It does not have the ecological environment, the habitat of marshes, a salmon stream, and so forth that this particular environment has. This is quite a different type of situation."

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 87 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 87, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—46.

Absent or not voting: Senators Connor, Twigg—2.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 87, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 234, by Senators Cooney, Marquardt and Peterson (Ted):
Changing tax rate on certain spirits.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 234, changing tax rate on certain spirits (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 10, after section 1, insert a new section as follows:

"NEW SECTION. Sec. 2. There is hereby added to chapter 62, Laws of 1933 ex. sess., as last amended by section 3, chapter 21, Laws of 1969 1st ex. sess., and chapter 66.24 RCW, a new section to read as follows:

There is hereby imposed upon every licensed wine wholesaler who possesses wine for resale upon which the tax has not been paid under section 1 of this 1970 amendatory act, a floor stocks tax of sixty-five cents per wine gallon on wine in his possession or under his control on July 1, 1970. Each such wholesaler shall within twenty days after July 1, 1970, file a report with the Washington State Liquor Control Board in such form as the board may prescribe, showing the wine products on hand July 1, 1970, converted to gallons thereof and the amount of tax due thereon. The tax imposed by this section shall be due and payable within twenty days after July 1, 1970, and thereafter bear interest at the rate of one percent per month."

Renumber the remaining sections consecutively.

On page 3, beginning on line 33, strike all of section 3 (renumbered section 4) and insert the following:

"NEW SECTION. Sec. 4. The effective date of this 1970 amendatory act is July 1, 1970."

On line 6 of the title after "RCW 82.08.150;" strike the remainder of the title and insert "adding a new section to chapter 62, Laws of 1933 ex. sess., and to chapter 66.24 RCW; and providing an effective date."

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Marquardt, Metcalf, Odegaard, Pritchard, Ryder, Sandison, Walgren, Washington, Williams, Wilson.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

On motion of Senator Lewis (Harry), the following amendment was adopted:

On page 1, section 1, line 16, after "one" strike "domestic" and insert "[domestic]" and after "another" strike "domestic" and insert "[domestic]"

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Peterson (Ted), the rules were suspended, Engrossed Senate Bill No. 234 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 234, and the bill passed the Senate by the following vote: Yeas, 43; nays, 4; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—43.

Voting nay: Senators Andersen, Gissberg, Huntley, Mardesich—4.

Absent or not voting: Senator McDougall—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 234, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 161, by Senators Day, Elicker and Dore:

Creating a state board of examiners for licensing of nursing home administrators.

MOTION

On motion of Senator Day, Substitute Senate Bill No. 161 was substituted for Senate Bill No. 161, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Day, the rules were suspended, Substitute Senate Bill No. 161 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 161, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—44.

Voting nay: Senators Gissberg, Mardesich—2.

Absent or not voting: Senators Holman, Keefe—2.

Excused: Senator Woodall—1.

SUBSTITUTE SENATE 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.

SENATE BILL NO. 294, by Senator Durkan:

Relating to cities operating under the optional municipal code.

MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 294 was substituted for Senate Bill No. 294 and the substitute bill was placed on second reading and read the second time in full.

Senator Lewis (Brian) moved adoption of the following amendment:

On page 5, section 6, line 11, insert as section 6 the following:

"Sec. 6. Section 35.13.015, chapter 7, Laws of 1965 as last amended by section 7, chapter 73, Laws of 1967 and RCW 35.13.015 are each amended to read as follows:

In addition to the method prescribed by RCW 35.13.020 for the commencement of annexation proceedings, the legislative body of any city or town may, whenever it shall determine by resolution that the best interests and general welfare of such city or town would be served by the annexation of unincorporated territory contiguous to such city or town, file a certified copy of the resolution with the board of county commissioners of the county in which said territory is located. The resolution of the city or town initiating such election shall describe the boundaries of the area to be annexed, as nearly as may be state the number of voters residing therein, pray for the calling of an election to be held among the qualified voters therein upon the question of annexation, and provide that said city or town will pay the cost of the annexation election. The resolution may require that there also be submitted to the electorate of the territory sought to be annexed a proposition that all property within the area annexed shall, upon annexation, be assessed and taxed at the

same rate and on the same basis as the property of such annexing city or town is assessed and taxed to pay for any then outstanding indebtedness of the city or town to which said area is annexed, contracted prior to, or existing at, the date of annexation. Whenever a city or town has prepared and filed a comprehensive plan for the area to be annexed as provided for in RCW 35.13.177 and 35.13.178, the resolution initiating the election may also provide for the simultaneous adoption of the comprehensive plan upon approval of annexation by the electorate of the area to be annexed. The resolution initiating the election may also provide for the simultaneous creation of a community municipal corporation and election of community council members as provided for in RCW 35.14.010 through 35.14.060 upon approval of annexation by the electorate of the area to be annexed. *In cities under the optional municipal code the resolution initiating the election may also provide for the simultaneous inclusion of the annexed area into a named existing community municipal corporation.* The proposition for the creation of a community municipal corporation may be submitted as part of the annexation proposition or may be submitted as a separate proposition. *The proposition for inclusion within a named existing community municipal corporation shall be submitted as part of the annexation proposition.*"

Re-number section 6 of the bill as section 7.

POINTS OF INQUIRY

Senator Holman: "Will Senator Lewis (Brian) yield? Senator, this does not provide for annexation by resolution, does it?"

Senator Lewis (Brian): "No, sir, this solely covers the situation of annexation by election."

Senator McCutcheon: "This does not force . . . whether or not he joins?"

Senator Lewis (Brian): "That is correct. That is exactly correct, Senator. The entire act is voluntary, and the entire act also requires a vote of the citizens or at least the entire amendment, I am not speaking to Senator Durkan's original bill. My amendment is voluntary and requires a vote of the citizens."

The motion carried and the amendment was adopted.

On motion of Senator Lewis (Brian), the following amendment to the title was adopted:

On page 1, line 9, after "RCW 35A.29.150" insert "; and amending section 35.13.015, chapter 7, Laws of 1965 as last amended by section 7, chapter 73, Laws of 1967 and RCW 35.13.015"

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute Senate Bill No. 294 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 294, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Voting nay: Senator McCutcheon—1.

Absent or not voting: Senators Dore, Pritchard—2.

Excused: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE 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.

SENATE BILL NO. 85, by Senators Atwood, Foley and Mardesich:

Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 85, adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

On page 2, line 2, insert the following new sections:

"Sec. 2. Section 36.47.040, chapter 4, Laws of 1963 as amended by section 3, chapter 5, Laws of 1969 ex. sess. and RCW 36.47.040 are each amended to read as follows:

Each county which designates the Washington state association of county officials as the agency through which the duties imposed by RCW 36.47.020 may be executed is authorized to reimburse the association from the county current expense fund for the cost of any such services rendered: PROVIDED, That no reimbursement shall be made to the association for any expenses incurred under RCW 36.47.050 for travel, meals, or lodging of such county officials, or their representatives at such meetings, but such expenses may be paid by such official's respective county as other expenses are paid for county business. Such reimbursement shall be paid only on vouchers submitted to the county auditor and approved by the board of county commissioners of each county in the manner provided for the disbursement of other current expense funds. Each such voucher shall set forth the nature of the services rendered by the association, supported by affidavit that the services were actually performed. The total of such reimbursements for any county in any calendar year shall not exceed a sum equal to [the revenues produced by a levy of one-hundredth of a mill against the assessed valuation of taxable property] *the amount which would be raised by a levy of one four-hundredth of a mill against the actual value of the taxable property in such county.*

Sec. 3. Section 4, chapter 31, Laws of 1961 and RCW 53.06.040 are each amended to read as follows:

Each port district which designates the Washington public ports association as the agency through which the duties imposed by RCW 53.06.020 may be executed is authorized to pay dues and/or assessments to said association from port district funds in any calendar year in an amount not exceeding a sum equal to [revenues of one twenty-fifth of a mill levy against the assessed valuation of the property] *the amount which would be raised by a levy of one-hundredth of a mill against the actual value of the taxable property within the port district.*

Sec. 4. Section 1, chapter 267, Laws of 1961, and RCW 56.08.110 are each amended to read as follows:

To improve the organization and operation of sewer districts, the commissioners of two or more such districts may form an association thereof, for the purpose of securing and disseminating information of value to the members of the association and for the purpose of promoting the more economical and efficient operation of the comprehensive plans of sewer systems in their respective districts. The commissioners of sewer districts so associated shall adopt articles of association, select such officers as they may determine, and employ and discharge such agents and employees as shall be deemed convenient to carry out the purposes of the association. Sewer district commissioners and their employees are authorized to attend meetings of the association. The expense of the association may be paid from the maintenance or general funds of the associated districts in such manner as shall be provided in the articles of association: PROVIDED, That the aggregate contributions made to the association by the district in any calendar year shall not exceed [one-tenth of one mill of the tax valuation] *the amount which would be raised by a levy of one-twentieth of a mill against the actual value of the taxable property of the district.* The financial records of such association shall be subject to audit by the Washington state division of municipal corporations of the state auditor.

Sec. 5. Section 1, chapter 242, Laws of 1961, and RCW 57.08.110 are each amended to read as follows:

To improve the organization and operation of water districts, the commissioners of two or more such districts may form an association thereof, for the purpose of securing and disseminating information of value to the members of the association and for the purpose of promoting the more economical and efficient operation of the comprehensive plans of water supply in their respective districts. The commissioners of water districts so associated shall adopt articles of association, select such officers as they may determine, and employ and discharge such agents and employees as shall be deemed convenient to carry out the purposes of the association. Water district commissioners and employees are authorized to attend meetings of the association. The expense of the association may be paid from the maintenance or general funds of the associated districts in such manner as shall be provided in the articles of association: PROVIDED, That the aggregate contributions made to the association by the district in any calendar year shall not exceed [one-tenth of one mill of the tax valuation] *the amount which would be raised by a levy of one-twentieth of a mill against the actual value of the taxable property of the district.* The financial records of such association shall be subject to audit by the Washington state division of municipal corporations of the state auditor."

Renumber the remaining sections consecutively.

In line 2 of the title after "RCW 36.32.350;" strike the remainder of the title and insert the following:

"amending section 36.47.040, chapter 4, Laws of 1963 as amended by section 3, chapter 5, Laws of 1969 ex. sess. and RCW 36.47.040; amending section 4, chapter 31, Laws of 1961 and RCW 53.06.040; amending section 1, chapter 267, Laws of 1961 and RCW 56.08.110; amending section 1, chapter 242, Laws of 1961 and RCW 57.08.110; amending section 1, chapter 191, Laws of 1939 as amended by section 1, chapter 163, Laws of 1943 and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 11, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.010; amending section 16, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.110; and amending section 7, page 210, Laws of 1888 as last amended by section 1, chapter 57, Laws of 1969 and RCW 73.08.080."

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Williams.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendments were adopted.

On motion of Senator Atwood, the committee amendment to the title was adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 85 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 85, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Absent or not voting: Senator Matson—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE 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.

SENATE BILL NO. 126, by Senators Peterson (Ted), Talley, Stender and Francis:

Relating to regulation of elevators, other lifting devices and moving walks.

The bill was read the second time by sections.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Bill No. 126 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Peterson (Ted) yield? Senator Peterson, does this just give a blank check to the department to set their own fees?"

Senator Peterson (Ted): "No, Senator Gissberg, the fees are all pretty well set; but when you have shifted over to the new division, they have to promulgate and set these fees. They will be commensurate with the fees that are already in on the inspection of elevators, lifts, and so on. It is just a transfer."

Senator Gissberg: "Well, I do not understand. The new material at the bottom of page one and the top of page two indicates that the director of the department establishes a schedule of fees."

Senator Peterson (Ted): "That actually is true but on the switchover to the new department or the new head. In this case, Senator Stender, did you want to answer that?"

Senator Stender: "People under the Administrative Procedure Act and the department will hold hearings with those involved and determine from that hearing what the changes in the schedule may be. In other words instead of putting it in the act directly, they put it

under the Administrative Procedure Act. Hearings would be held, and those concerned would sit down and figure out what the adjustments would be."

Senator Guess: "Will Senator Peterson (Ted) yield? Senator Peterson, in the stricken material at the bottom of page two, it says 'No fee shall be charged for a yearly inspection or the initial inspection after installation.' Do you propose or does the department propose to charge a yearly inspection fee?"

Senator Peterson (Ted): "No, just on inspection."

Senator Guess: "Sir, they inspect yearly. They are required to inspect yearly; but what I want to know now when they come around on the business of the state as a safety measure and as a service to the citizens of the state of Washington using that, are they going to charge you to come look at your machinery?"

Senator Peterson (Ted): "Yes, if they are making the call on the inspections. Yes, there will be the charge. That is right."

Senator Guess: "Senator Peterson, they do not now make a yearly fee charge."

Senator Peterson (Ted): "These fees will be established after hearings with the interested people under the Administrative Procedure Act. Whether or not they have a yearly fee charge or not would remain with that hearing with those that are involved."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 126, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Dore, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Williams, Wilson—42.

Voting nay: Senators Durkan, Gissberg, Washington—3.

Absent or not voting: Senators Andersen, Donohue, Pritchard—3.

Excused: Senator Woodall—1.

SENATE BILL NO. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 265, by Senators Guess and Twigg:
Relating to snowmobile licensing.

MOTION

On motion of Senator Guess, Substitute Senate Bill No. 265 was substituted for Senate Bill No. 265 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Guess, the rules were suspended, Substitute Senate Bill No. 265 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Guess yield? Senator Guess, traditionally on an excise tax by the state, which this is, an excise tax, we do not usually in any case as far as I know charge somebody the excise tax when they operate it solely on their own property. This would even require the payment of the excise tax even if they run their snowmobile on their own property. Ordinarily I think somewhat similarly to you on these matters, but you are getting pretty liberal there when you are charging somebody five dollars for running a snowmobile on his own property."

Senator Guess: "I do not believe that you would find there is going to be enough money in this to afford enough of the enforcement people to go around and check out people operating behind their own fence. This is primarily to protect state lands, and we are most earnestly concerned about people running over reforested lands and knocking off the tops of little trees and things like that. I think that it really will not operate to the detriment

of an individual private owner because he normally will take his machine out in the larger areas anyway."

Senator McCormack: "Will Senator Guess yield? Senator Guess, you propose a tax of five dollars on each snowmobile?"

Senator Guess: "Yes."

Senator McCormack: "Is this an excise tax, or is it a property tax?"

Senator Guess: "It is an excise tax."

Senator McCormack: "Is this in lieu of a property tax?"

Senator Guess: "No, they will still have to declare their own property tax, sir."

Senator McCormack: "Under this bill would the owner declare the snowmobile as personal property?"

Senator Guess: "Yes, sir."

Senator McCormack: "So he would be paying a personal property tax, and in addition he will be paying a use tax on it?"

Senator Guess: "An excise tax."

Senator McCormack: "An excise tax, would there be a license plate?"

Senator Guess: "No, sir, he will be assigned a number which he will paint or affix to his snowmobile; but it will not be issued to him. We did not want to involve a lot of expense here."

Senator Wilson: "Will Senator Guess yield? Senator, new section six says in part 'It shall be unlawful for any person to drive or operate any snowmobile,' then dropping down to ten 'in a reforested area where trees are less than three inches in diameter without the prior written consent of the owner.' Now up in our part of the country, of course, snowmobiles are used about ninety-five percent of the time on national forest and state department of natural resources land. My question is, have arrangements been made with either the department of natural resources or the national forest, for example, to provide such written permits to set up a system for making these permits available?"

Senator Guess: "Yes, they have maps already prepared in the areas in which you can operate, Senator Wilson. The funds will be used for marking trails into these areas where the snowmobile operator would get into trouble."

Senator Wilson: "Including national forests?"

Senator Guess: "National forests we have not contacted and have not worked with, but the department of natural resources people say that they will work with them. We have no jurisdiction there, sir."

Senator Wilson: "Yes, this is one of my concerns. Eighty percent of our snowmobiling goes on in the national forests and I wondered if any arrangements have been made."

Senator Guess: "There is no reciprocal arrangement made in this instance."

Senator Wilson: "May I ask one more question? Dropping down to the bottom of the same page, 'A snowmobile under this act cannot cross a public highway unless it is at an angle of approximately ninety degrees.' I am sure you are concerned with the safety factor here and the fact that a driver is safer if he is going through an intersection at about a ninety degree angle. Nonetheless, the way roads run up in our part of the country as you are well aware, they often come in at anything but ninety degrees. In a matter of a practical application of this law, I see all sorts of inconveniences and problems for people out on snowmobiles when they come up one of these informal roads and have to cross a highway at something other than ninety degrees because of the nature of the trail."

Senator Guess: "We thought we took care of that, Senator Wilson, by using the word 'approximately.'"

Senator Wilson: "What is your definition of 'approximately'?"

Senator Guess: "It covers a multitude of things."

POINT OF ORDER

Senator Mardesich: "I looked into the original drafting of this bill in our red book. Senate Bill No. 265 is entitled 'An act relating to licensing and safety,' and that is about all it is. It is a title only bill. Section one reads 'Only this act shall be known as the Snowmobile Licensing Act of 1970.' I wonder whether the change of title is beyond the scope of the original title, or does the mere mention of snowmobiles in section one allow the changing of the title? There is nothing in the title relating to snowmobiles. The fact that it is mentioned in the first line of the bill may take it out of what I think would be a proper question of order, but I do not know."

Senator Guess: "If Senator Mardesich would permit me, I would suggest that the word 'safety' is there also."

Substitute Senate Bill No. 265 was placed at the end of today's calendar on third reading pending the Ruling by the President regarding the Point of Order raised by Senator Mardesich.

SENATE BILL NO. 266, by Senator Holman:
Stipulating amount employers may withhold from wages.

REPORT OF STANDING COMMITTEE

January 28, 1970.

SENATE BILL NO. 266, stipulating amount employers may withhold from wages (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 12, after "each" strike "amended" and insert "reenacted"

On page 2, section 3, line 13, after "seventy" and before "percent" insert "-five"

On line 1 of the title, after "garnishments;" strike "amending" and insert "reenacting"

Signed by: Senators Dore, Vice Chairman; Andersen, Atwood, Durkan, Foley, Francis, Greive, Holman, Ridder, Twigg, Walgren, Williams.

The bill was read the second time by sections.

On motion of Senator Holman, the committee amendments were adopted.

Senator Stender moved adoption of the following amendment:

On page 7, line 13, insert the following:

"NEW SECTION. Sec. 10. No garnishee as an employer may terminate an employee for reasons of any garnishment when such employee is defendant in such garnishment action."

Debate ensued.

There being no objection, Senator Stender was permitted to withdraw his amendment.

On motion of Senator Holman, the committee amendment to the title was adopted.

On motion of Senator Holman, the rules were suspended, Engrossed Senate Bill No. 266 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 266, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Absent or not voting: Senator Ryder—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 60, by Senators Guess, Washington and Atwood:

Allowing seventy-five year leases for school purposes.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 60 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 60, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 6; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson—42.

Absent or not voting: Senators Andersen, Donohue, McCutcheon, Pritchard, Ryder, Talley—6.

Excused: Senator Woodall—1.

SENATE BILL NO. 60, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 83, by Senators Gissberg and Williams:

Relating to judicial conference.

The bill was read the second time by sections.

Senator Canfield moved adoption of the following amendment:

On page 1, section 1, line 14, after "chapter" and before the period, add "as provided for other state employees"

Debate ensued.

The motion lost and the amendment was not adopted on a rising vote.

Senator Lewis (Harry) moved adoption of the following amendment:

On page 1, line 14, strike the period and add "and shall submit a written report to the judicial council within 120 days."

Debate ensued.

POINT OF INQUIRY

Senator Williams: "Will Senator Lewis (Harry) yield? Senator Lewis, your amendment as I read it would require that every judge attending this annual conference, which is held with the state bar convention, would have to submit a report. Do you know how many judges there are in the state that would have to submit this report that your amendment would call for?"

Senator Lewis (Harry): "Senator Williams, we are talking only about judges who would be traveling outside the United States. Any meetings that are attended within the United States, I certainly would not think this is necessary but if the meeting is so important out of the country that it is necessary for them to attend, I think there is every reason that they should submit a reasonable written report for these purposes. I certainly think perhaps some of the lawyers in the Senate may cringe a little bit about asking a judge to do this, but I think that this is a reasonable request. I hope that the rest of the members of the Senate would understand how important it is that the information obtained should be available not only to the judiciary but through the Judicial Council to the other members of the legislature and the citizens of the State. I do not offer this amendment facetiously and, Senator Williams, I would hope that you personally could see the validity of the argument and would support it individually."

Senator Gissberg moved that the amendment by Senator Lewis (Harry) be laid upon the table.

Senator Lewis (Harry) demanded a roll call. The demand was not sustained.

The motion by Senator Gissberg carried. The amendment was laid upon the table on a rising vote.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 83 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINTS OF INQUIRY

Senator Peterson (Ted): "Will Senator Atwood yield? I know this is an earthshaking bill, and nowhere along the line have I heard anyone ask the question as to why they meet in Vancouver, B. C. I wondered if it was the price of certain commodities. I did not get the explanation as to just why Canada in this case."

Senator Atwood: "About ten years ago the Washington Bar met in Vancouver, B. C. and they found it so delightful meeting with the British Columbia Bar that about once every ten years the Washington Bar meets in Vancouver. It happens that they are meeting there this year, and the judges almost always have their annual conference at the same time the Bar Association has their annual meeting. That is the reason for this bill, is to allow the judges to meet in Vancouver. The last time they had it there in Vancouver the judges met in Bellingham."

Senator Ridder: "Will Senator Atwood yield? You are a lawyer; and, of course, I am sure on Judiciary Committee you always stand for very good construction. This would mean, wouldn't it, that we could meet maybe in Banff or we could meet in England—at ten

cents a mile, that would be delicious and we could meet almost any place by the wording of this bill, couldn't we?"

Senator Atwood: "They could. They are not like the legislature, however, Senator."

Senator Canfield: "Will Senator Atwood yield? Senator Atwood, you are an attorney of renown and a leader of the Party, are you not?"

Senator Atwood: "Well, if you say so, Senator."

Senator Canfield: "You also have your doctorate, have you not?"

Senator Atwood: "Not yet."

Senator Canfield: "You are working on it?"

Senator Atwood: "Right."

Senator Canfield: "My further question is this. We have been working for a long time as you know to try to establish some kind of uniformity in expense accounts, and my motion to accomplish that was voted down. I am curious now to know whether your lack of support of that motion is in line with Governor Evans' request to hold traveling expenses down. Would you care to comment on that?"

Senator Atwood: "No, I would not."

Senator Dore: "Will Senator Williams yield? Senator Williams, just for the record I think the members are concerned perhaps that in the past the judges have always met with the lawyers in the same place. The only problem we have is Vancouver, but the way the bill is worded it is their annual conference. It may well be if this bill went through, they would decide not to meet at the same time with the Bar Association so they might go to England or something like that. I wonder if you could say something for the record pertaining to what a couple of the judges just intend to do even though it is not binding and the bill would give some direction to the judges what they really intend to do if this passes."

Senator Williams: "Senator Dore, this was discussed in the committee and I know the judges have no intent of holding the annual conference other than with the Bar Association meeting in Vancouver when it meets there."

Senator Dore: "I asked about the sponsors' intent not the judges' intent."

Senator Williams: "I think our intent is theirs as well. That is the reason we have accepted this way."

Senator Wilson: "Will Senator Williams yield? Did I understand you correctly in responding to Senator Dore that it is the intent that this legislation approve of the judges meeting nowhere outside of the United States except at Vancouver, B. C.?"

Senator Williams: "It is conceivable the Bar Association might decide to meet in Victoria or maybe in Portland. It is our understanding that the State Bar is not going to move very far because it is a large body and could not hold its meeting far away. Secondly, the judicial conference is always held with the Bar Association. There has been no indication of doing otherwise. I might add, of course, that they are limited. They can only use this out of appropriations for this purpose and I think they have the good sense to realize that it would not be very smart if they wanted to get the appropriations continued to do anything that would be rather unjudicial."

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 83, and the bill passed the Senate by the following vote: Yeas, 34; nays, 13; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Connor, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Stender, Talley, Twigg, Walgren, Washington, Williams—34.

Voting nay: Senators Canfield, Faulk, McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Ridder, Stortini, Wilson—13.

Absent or not voting: Senator Durkan—1.

Excused: Senator Woodall—1.

SENATE BILL NO. 83, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 216, by Senator Durkan:

Changing qualifications for those claiming the property tax exemption for senior citizens.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 216, changing qualifications for those claiming the property tax exemption for senior citizens (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1, after "disabled" and before "[and]" insert "and retired"

On page 2, line 6, after "disabled" and before the period insert "and retired"

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Stortini, Walgren, Williams, Wilson.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendments were adopted.

Senator Stortini moved adoption of the following amendment:

On page 2, section 1, line 7, strike all of subsection (5) and insert:

"[(5) No person who, during the preceding calendar year, has regularly occupied the residence on which the taxes have been imposed shall have received during the preceding calendar year any earnings of the type and amount which would cause any deduction from social security benefits for a recipient of such benefits pursuant to 42 U.S.C. 403: PROVIDED, HOWEVER, That this subsection shall not apply with respect to an occupant who is related to the person claiming the exemption and who is either a student under the age of twenty-five who is pursuing a full course of studies or who is making payments as a sharing of the expenses of maintaining the residence not in excess of one hundred dollars per month.]"

Renumber subsection (6) as subsection (5).

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Stortini yield? Senator, I thought that this was not considered in the Ways and Means Committee and I am just wondering why you bring it up on the floor. Was it brought up in the committee?"

Senator Stortini: "Yes, this was brought up in the committee and I also discussed it with Senator Durkan. Also I talked with the department of revenue, and they say too that it is a problem. They would like to see the section deleted too."

Senator Canfield: "I thought we were just considering the disability and retired feature in this bill."

Senator Stortini: "No, here in my amendment we are dealing with section five, the entire section."

MOTION

On motion of Senator McCormack, Senate Bill No. 216 and the pending amendment by Senator Stortini was ordered to hold its place on the second reading calendar for Saturday, January 31, 1970.

SENATE BILL NO. 191, by Senators Elicker and Herr:

Setting standards for establishing county commissioner districts.

The bill was read the second time by sections.

On motion of Senator Elicker, the rules were suspended, Senate Bill No. 191 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Stender: "Will Senator Elicker yield? Senator Elicker, do not the commissioners represent all of the county, not just some islands? I get the impression here that we are building some kingdoms with water boundaries all around them."

Senator Elicker: "This is not true, Senator Stender. The nomination is only by district. The election is done by the entire county; so they do, yes, represent the entire county because they were elected by the entire county. They must reside in and be nominated by a district. We have this in school district elections in a great many areas and this type of thing. It is just to assure some geographical representation to isolated parts of counties."

Senator Stender: "How much disparity in population are we talking of in your particular situation?"

Senator Elicker: "In my particular case we are talking about a disparity of about twenty-five percent versus thirty-three percent."

Senator Lewis (Brian): "Will Senator Elicker yield? Senator, do I understand from your commentary that it is the attorney general's opinion that in any county the county commissioner districts now do not have to be approximately equal in population because they are only nominating the commissioner candidate who subsequently will be elected county-wide? For example, in Snohomish county you could have two small districts and one very big district and it would not matter because in the final election they are elected county-wide? Is that the attorney general's opinion?"

Senator Elicker: "No, that is not the attorney general's opinion, Senator Lewis, because we have a statute which we are amending which says 'The board of county commissioners at each county shall divide their counties into three commissioner districts so that each district shall comprise as nearly as possible one-third of the population of the county.' In King or Snohomish counties, they would have to be one-third. What we are speaking to in this bill is an amendment to this statute that would provide whether a geographical boundary or geographical impediment, which do not, of course, exist in King and Snohomish counties, that in most counties they would be able to use a different basis than they do in the counties where there is free interchange of traffic."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 191, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—43.

Voting nay: Senator McCutcheon—1.

Absent or not voting: Senators Donohue, Henry, Lewis (Harry), Pritchard—4.

Excused: Senator Woodall—1.

SENATE 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.

SENATE BILL NO. 55, by Senators Peterson (Ted), Dore, Washington and Greive (by executive request):

Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.

MOTION

On motion of Senator Peterson (Ted), Substitute Senate Bill No. 55 was substituted for Senate Bill No. 55, and the substitute bill was placed on second reading and read the second time in full.

Senator Atwood moved adoption of the following amendment by Senators Atwood and Lewis (Harry):

On page 1, section 1, line 14, after "beings" insert "other than a mobile home"
Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Atwood yield? Does this amendment have any effect upon so-called travel trailers that are used for some residential purposes occasionally?"

Senator Atwood: "I do not believe so, Senator. If you will look at that amendment, it is extremely broad and I do not think it in any way could. I know the amendment does not effect travel trailers. They are not primarily used for residential purposes."

The motion carried and the amendment was adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 1, line 15, after "entirely or" strike "partially" and insert "substantially"

On motion of Senator Peterson (Ted), the rules were suspended, Engrossed Substitute Senate Bill No. 55 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

President Pro Tempore Henry assumed the Chair.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 55, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matsson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Absent or not voting: Senators McCormack, McCutcheon—2.

Excused: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE 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.

SUBSTITUTE SENATE BILL NO. 265, by Senators Guess and Twigg:

Relating to snowmobile licensing.

The Senate resumed consideration of Substitute Senate Bill No. 265 on third reading and the Point of Order as raised by Senator Mardesich.

There being no objection, Senator Mardesich withdrew his Point of Order.

MOTION

On motion of Senator Guess, Substitute Senate Bill No. 265 was returned to second reading.

Senator McDougall moved adoption of the following amendment:

On page 2, section 3, line 6, after "state" insert "": PROVIDED, That no tax shall be imposed when the owner certifies that the snowmobile will be used on private land exclusively."

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator McDougall yield? Do you mean on your own land?"

Senator McDougall: "I would say that it could be used on anybody's land as long as it was private land and not on public land. I think that was the intent of the particular measure that Senator Guess has introduced. The intent of it, of course, is to use it exclusively on your own particular land but I would see nothing wrong or why you should be charged if it were used on somebody else's private land too."

The motion carried and the amendment was adopted.

On motion of Senator Guess, the following amendment to the title was adopted:

On page 1, line 2, after "thereof;" insert "imposing an excise tax thereon"

On motion of Senator Guess, the rules were suspended, Engrossed Substitute Senate Bill No. 265 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 265, and the bill failed to pass the Senate by the following vote: Yeas, 17; nays, 27; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Elicker, Foley, Francis, Greive, Guess, Henry, Holman, Keefe, Knoblauch, McDougall, Metcalf, Washington—17.

Voting nay: Senators Cooney, Donohue, Dore, Faulk, Gissberg, Herr, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Williams, Wilson—27.

Absent or not voting: Senators Day, Durkan, Huntley, Twigg—4.

Excused: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 265, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Lewis (Brian) served notice that he would, on the next working day, move that the Senate reconsider the vote by which Engrossed Substitute Senate Bill No. 265 failed to pass the Senate.

Senator Mardesich served notice that he would enter into the Journal remarks with respect to Senate Bill No. 208.

MOTION

At 6:05 p.m., on motion of Senator Greive, the Senate adjourned until 9:00 a.m., Saturday, January 31, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, January 31, 1970.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Woodall. On motion of Senator Atwood, Senator Woodall was excused.

The Color Guard, consisting of Pages Steve Duncan, Color Bearer, and Sherry Cox presented the Colors.

On motion of Senator Henry, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

January 30, 1970.

SENATE BILL NO. 16, transferring the state ferry system to the state highway commission (reported by Committee on Highways):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Henry, Vice Chairman; Connor, Donohue, Elicker, Faulk, Herr, Huntley, Keefe, Marquardt, Peterson (Lowell), Pritchard, Ridder, Stender, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 26, 1970.

SENATE BILL NO. 213, providing for a state teachers professional practice commission (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Chairman; Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Talley, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

January 30, 1970.

SENATE CONCURRENT RESOLUTION NO. 3, state agency publications study (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Canfield, Day, Donohue, Francis, Gissberg, Greive, Guess, Lewis (Harry), McCormack, Metcalf, Peterson, (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Twigg, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

LETTER OF INFORMATION

Washington State Senate, January 31, 1970.

MR. SID SNYDER,
SECRETARY OF THE SENATE,
LEGISLATIVE BUILDING,
OLYMPIA, WASH. 98501

DEAR MR. SNYDER:

Apparently I misspoke in placing my motion of January 29. My motion was to move Senate Bills 153, 281, and 142 to the full committee on Ways and Means.

My motion did not intend to move Senate Bill 158 to the Ways and Means Committee. Therefore, Senate Bills 153, 281, and 142 should be in the Ways and Means Committee and Senate Bill 158 should be in the Revenue and Taxation Committee.

In addition, Senate Bill 251 has subsequently been referred from the Revenue and Taxation Committee to the Ways and Means Committee.

I would appreciate your correcting this situation.

Sincerely,
MIKE McCORMACK, Chairman,
 Revenue and Taxation Committee.

MESSAGES FROM THE HOUSE

January 30, 1970.

Mr. President: The House has passed:
 HOUSE BILL NO. 2,
 HOUSE BILL NO. 3,
 ENGROSSED HOUSE BILL NO. 6,
 HOUSE BILL NO. 17,
 HOUSE BILL NO. 19,
 ENGROSSED HOUSE BILL NO. 23,
 HOUSE BILL NO. 63,
 HOUSE BILL NO. 66,
 HOUSE BILL NO. 69,
 HOUSE BILL NO. 72,
 HOUSE BILL NO. 87,
 HOUSE BILL NO. 103,
 HOUSE BILL NO. 118,
 HOUSE BILL NO. 126,
 SUBSTITUTE HOUSE BILL NO. 129,
 HOUSE BILL NO. 135,
 HOUSE BILL NO. 145,
 HOUSE BILL NO. 158,
 HOUSE BILL NO. 176,
 SUBSTITUTE HOUSE BILL NO. 180,
 HOUSE BILL NO. 202,
 HOUSE BILL NO. 215,
 SUBSTITUTE HOUSE BILL NO. 220,
 ENGROSSED HOUSE BILL NO. 237,
 SUBSTITUTE HOUSE BILL NO. 258,
 HOUSE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

January 30, 1970.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 46,
 SUBSTITUTE HOUSE BILL NO. 56,
 HOUSE BILL NO. 97,
 ENGROSSED HOUSE BILL NO. 164,
 SUBSTITUTE HOUSE BILL NO. 169,
 ENGROSSED HOUSE BILL NO. 201,
 ENGROSSED HOUSE BILL NO. 203,
 SUBSTITUTE HOUSE BILL NO. 204,
 HOUSE BILL NO. 226,
 ENGROSSED HOUSE BILL NO. 239,
 HOUSE BILL NO. 242,
 ENGROSSED HOUSE BILL NO. 251,
 ENGROSSED HOUSE BILL NO. 292,
 ENGROSSED HOUSE BILL NO. 293,
 HOUSE BILL NO. 326,
 HOUSE JOINT MEMORIAL NO. 2,
 HOUSE CONCURRENT RESOLUTION NO. 5,
 HOUSE CONCURRENT RESOLUTION NO. 6,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 2, by Representatives Evans, Cunningham, DeJarnatt and Mentor:
 Requiring unloaded school buses to stop before crossing railroad tracks.
 Referred to Committee on Highways.

HOUSE BILL NO. 3, by Representatives Copeland and Shera:
 Specifying number of directors and officers of professional corporations.
 Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 6, by Representative Conner:
Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.

Referred to Committee on Public Institutions.

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

Making the limitation of quantity in retail sales an unfair business practice.

Referred to Committee on Commerce and Regulatory Agencies.

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

Permitting licensing of out-of-state beer and wine salesmen and increasing agent's license fee.

Referred to Committee on Liquor Control.

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

Requiring the disclosure of birth defects by adoption agencies.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

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

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

Referred to Committee on Labor and Social Security.

SUBSTITUTE HOUSE BILL NO. 56, by Committee on Local Government:

Relating to factory built houses.

Referred to Committee on Labor and Social Security.

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

Requiring associations of municipal corporations to submit recommendations for improvements.

Referred to Committee on Cities, Towns and Counties.

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

Implementing law relating to irrigation district local improvement districts.

Referred to Committee on Cities, Towns and Counties.

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

Prohibiting the use of prisoner's earnings to defray expenses.

Referred to Committee on Public Institutions.

HOUSE BILL NO. 72, by Representatives Schumaker, Beck and Clarke (George W.):

Authorizing interstate purchase of shotguns and rifles.

Referred to Judiciary Committee.

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

Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

Referred to Committee on Ways and Means—Revenue and Taxation.

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

Adding two judges of the court of appeals to the judicial council.

Referred to Judiciary Committee.

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

Increasing jurisdiction of small claims department of justice courts.

Referred to Judiciary Committee.

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

Granting superintendents authority to make payment from patients' accounts.

Referred to Committee on Public Institutions.

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

Relating to irrigation and reclamation districts.

Referred to Committee on Cities, Towns and Counties.

SUBSTITUTE HOUSE BILL NO. 129, by Committee on Education and Libraries:

Reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents.

Referred to Committee on Education.

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

Authorizing excess levies by townships.

Referred to Committee on Ways and Means.

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

Relating to lawyers' code of ethics.

Referred to Judiciary Committee.

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

Including certain nonprofit organizations in definition of "debt adjuster".

Referred to Judiciary Committee.

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

Authorizing first class cities to contract with U.S. under Demonstration Cities and Metropolitan Development Act of 1966.

Referred to Committee on Cities, Towns and Counties.

SUBSTITUTE HOUSE BILL NO. 169, by Committee on Agriculture:

Providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters.

Referred to Committee on Agriculture and Horticulture.

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

Providing Spokane county with an eighth justice of the peace.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 180, by Committee on Revenue and Taxation:

Reducing property tax millage limitations by one-half.

Referred to Committee on Ways and Means—Revenue and Taxation.

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

Authorizing establishment of speed limits for auto stages.

Referred to Committee on Highways.

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

Increasing interest rate on assessments of county road improvement districts.

Referred to Committee on Cities, Towns and Counties.

ENGROSSED HOUSE BILL NO. 203, by Representatives Wolf, Bottiger, McCaffree, Kirk, Cunningham, Williams, Smythe and Mahaffey:
 Establishing health care programs for state employees.
 Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 204, by Committee on Higher Education:
 Clarifying the position covered by the definition of faculty appointment as applies to community colleges.
 Referred to Committee on Higher Education and Libraries.

HOUSE BILL NO. 215, by Representatives Kopet and Haussler (by State Auditor request):
 Establishing salary funds and claims funds for counties.
 Referred to Committee on Cities, Towns and Counties.

SUBSTITUTE HOUSE BILL NO. 220, by Committee on Public Health and Welfare:
 Establishing procedures for the sale of surplus public hospital property.
 Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

HOUSE BILL NO. 226, by Representative Beck:
 Relating to motor vehicle speed.
 Referred to Committee on Highways.

ENGROSSED HOUSE BILL NO. 237, by Representatives Adams and Swayze:
 Pertaining to the organization and operation of miscellaneous and mutual corporations.
 Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 239, by Representatives Smythe, Fleming and Sprague:
 Relating to public contracts.
 Referred to Committee on State Government.

HOUSE BILL NO. 242, by Representatives Lynch, Brouillet, Smythe, King and Litchman (by Council on Higher Education request):
 Relating to the commission on higher education.
 Referred to Committee on Higher Education and Libraries.

ENGROSSED HOUSE BILL NO. 251, by Representatives King, Smythe and Kiskaddon:
 Providing for deferred retirement allowances.
 Referred to Committee on Labor and Social Security.

SUBSTITUTE HOUSE BILL NO. 258, by Committee on Judiciary:
 Establishing the "Human Rights Commission".
 Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 292, by Representative Williams:
 Pertaining to communications.
 Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 293, by Representatives Schumaker, Morrison, Jueling, Benitz, Anderson, Barden, Conway, Kuehne, Wanamaker, Mentor, Haussler, Gladder, Jolly, Gallagher and Smythe:
 Establishing new definitions within the explosive law.
 Referred to Committee on Labor and Social Security.

HOUSE BILL NO. 326, by Representatives Bledsoe, Chatalas, Shera, Leckenby, Charette and Pardini:

Permitting state agencies, municipalities, fiduciaries, to invest in "A" rated bonds of specified institutions.

Referred to Committee on State Government.

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

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

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

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

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

Referred to Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives Sprague, Lynch, Zimmerman, Brouillet, Fleming, King and Litchman (by Urban Affairs Council request):

Directing a review of teacher preparation program of public and private institutions of higher education.

Referred to Committee on Higher Education and Libraries.

HOUSE CONCURRENT RESOLUTION NO. 6, by Representative Conway:

Providing for study on price structure of gasoline and petroleum throughout areas of state.

Referred to Committee on Commerce and Regulatory Agencies.

MOTION

On motion of Senator McCutcheon, the motion for reconsideration of the vote by which Engrossed Senate Joint Resolution No. 4 failed to pass the Senate was made a special order of business for Monday, February 2, 1970 at 1:30 p.m.

PARLIAMENTARY INQUIRY

Senator Gissberg: "I would like to make a parliamentary inquiry as to whether or not Senate Joint Resolution No. 4 would fall within the scope of Senate Concurrent Resolution No. 1 which allows the Senate to consider measures relating to revenue and appropriations after midnight tonight, whether that would then be permissible under our rules so that Senator McCutcheon could do as he wants to do on Monday. The language is found on the second page on lines nine and ten, the proviso, 'provided that this paragraph shall not apply to legislative measures relating to revenue and taxation or appropriations.' This bill does effect taxation. It would be my view that it probably should be held over."

REPLY BY THE PRESIDENT

The President: "Senator Gissberg, in reply to your query, the President in reading Senate Concurrent Resolution No. 1 finds this paragraph: 'BE IT FURTHER RESOLVED, That commencing at midnight of the fourteenth day of the session and until midnight of the nineteenth day of the session the Senate will only consider House bills and the House will only consider Senate bills provided that this paragraph shall not apply to the legislative measures relating to revenue and taxation or appropriations and budget.' The President believes that Engrossed Senate Joint Resolution No. 4 falls within this provision and, therefore, could be considered by the Senate as a special order of business at 11:30 a.m., Monday."

MOTION

Senator Holman moved that the Committee on Rules and Joint Rules be relieved of further consideration of Senate Joint Resolution No. 9 and that it be placed on the second reading calendar.

Debate ensued.

Senators Holman, McCormack and McDougall demanded a Call of the Senate. The Call of the Senate was not sustained.

Senator Gissberg raised the question of consideration.

Debate ensued.

Senator Holman demanded a roll call on the question of consideration and the demand was sustained by Senators McCormack, McDougall, Sandison, Stender, Marquardt, Faulk, Matson, Donohue, Pritchard and Washington.

ROLL CALL

The Secretary called the roll and the question of consideration on the motion by Senator Holman to relieve the Committee on Rules and Joint Rules of further consideration of Senate Joint Resolution No. 9 and to place the resolution on the second reading calendar failed by the following vote: Yeas, 15; nays, 30; absent or not voting, 3; excused, 1.

Voting yea: Senators Durkan, Elicker, Faulk, Francis, Greive, Holman, McCormack, McDougall, Marquardt, Metcalf, Odegaard, Pritchard, Stortini, Washington, Wilson—15.

Voting nay: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Foley, Gissberg, Guess, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, Mardesich, Matson, Newschwander, Peterson (Lowell), Ridder, Ryder, Sandison, Stender, Talley, Twigg, Walgren—30.

Absent or not voting: Senators Henry, Peterson (Ted), Williams—3.

Excused: Senator Woodall—1.

MOTION

Senator Stender moved that the Committee on Highways be relieved of further consideration of Senate Bill No. 16 and the bill be placed on the second reading calendar.

Debate ensued.

POINT OF INQUIRY

Senator Guess: "Will Senator Washington yield? Senator, was a quorum present at the Highway Committee meeting yesterday afternoon?"

Senator Washington: "There was no quorum but the question of quorum was not raised."

Senator Guess: "Senator Washington, how many people were at your meeting?"

Senator Washington: "I believe about seven or eight."

Senator Guess: "What would have taken it to quorum?"

Senator Washington: "We have ordinarily required at least nine to be a quorum. However, in this particular session we have been moving fast, I will say that members have not been raising the question of a quorum and we have been operating as a number of committees have with less than a quorum."

Senator Guess: "Thank you, Senator Washington."

Further debate ensued.

Senators Marquardt, Faulk and Stender demanded the previous question and the demand was sustained.

The motion by Senator Stender was lost on a rising vote.

SECOND READING

ENGROSSED SENATE BILL NO. 216, by Senator Durkan:

Changing qualifications for those claiming the property tax exemption for senior citizens.

The Senate resumed consideration of Engrossed Senate Bill No. 216 and the following pending amendment by Senator Stortini:

On page 2, section 1, line 7, strike all of subsection (5) and insert:

"[(5) No person who, during the preceding calendar year, has regularly occupied the residence on which the taxes have been imposed shall have received during the preceding calendar year any earnings of the type and amount which would cause any deduction from social security benefits for a recipient of such benefits pursuant to 42 U.S.C., 403:

PROVIDED, HOWEVER, That this subsection shall not apply with respect to an occupant

who is related to the person claiming the exemption and who is either a student under the age of twenty-five who is pursuing a full course of studies or who is making payments as a sharing of the expenses of maintaining the residence not in excess of one hundred dollars per month.]”

Renumber subsection (6) as subsection (5).

The motion carried and the amendment was adopted.

On motion of Senator Stortini, the rules were suspended, Engrossed Senate Bill No. 216 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 216, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—48.

Excused: Senator Woodall—1.

ENGROSSED SENATE 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.

SENATE BILL NO. 40, by Senators Mardesich, Foley, Atwood and Newschwander (by Legislative Budget Committee request):

Pertaining to indebtedness limitations of taxing districts.

The Senate resumed consideration of Senate Bill No. 40. The bill was read the second time by sections.

Senator Holman moved adoption of the following amendment:

On page 11, section 13, line 33, before “percent” strike “[five] two and a half” and insert “five”

Debate ensued.

On motion of Senator Durkan, the amendment was laid upon the table.

On motion of Senator Mardesich, the following amendment was adopted:

On page 34, line 4, strike all of section 41.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 40 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 40, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—43.

Voting nay: Senators Metcalf, Pritchard, Ridder—3.

Absent or not voting: Senators Day, Lewis (Harry)—2.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Senator Gissberg served notice that he would at the proper time move for reconsideration of the vote by which the Senate passed Engrossed Senate Bill No. 40.

POINT OF ORDER

Senator Holman: "I believe the Senator is out of order. I raise that point."
Debate ensued.

MOTION FOR RECONSIDERATION

Senator Gissberg moved that the rules be suspended and the Senate immediately reconsider the vote by which the Senate passed Engrossed Senate Bill No. 40.
Debate ensued.

POINT OF ORDER

Senator Holman: "Is that in accordance with the rules?"
Senator Gissberg: "Mr. President, I moved that the rules be suspended, Senator, and I urge you to vote 'no'.
The motion that the rules be suspended and the Senate immediately reconsider the vote by which the Senate passed Engrossed Senate Bill No. 40 failed.

POINT OF INFORMATION

Senator Gissberg: "Mr. President, if you rule that the Senate has now voted not to reconsider, which it has done, then, of course, that places any notice of reconsideration out the window and the bill is passed?"

Senator Greive: "I do not think that the rules have to be suspended. The actual matter, a motion to reconsider, under Rule 21 is the second rule or under Rule 31. It would seem to me that would be highly unnecessary. Furthermore, a motion to reconsider is debatable and should be subject to debate. If you were to consider this as a motion to suspend, then you would be in effect under Rule 28 cutting off the right to any debate other than a short explanation or the reason for the motion to suspend the rules. It would seem to me that Senator Gissberg's motion is in order but not as a motion to suspend the rules. Furthermore, this would in effect say that you would have to have two-thirds vote to suspend the rules. Since the motion to reconsider cannot be reconsidered under Reed's Rule 204, you would in effect be putting a two-thirds requirement. I think that the motion is improperly put but the motion itself is in order."

MOTION

At 10:30 a.m., on motion of Senator Greive, the Senate was declared to be at ease until 11:35 a.m.

The President called the Senate to order at 11:35 a.m.

MOTION

On motion of Senator Greive, the following amendment to the Senate Rules was adopted:

Add a new paragraph to Rule 31, "Reconsideration, How Taken."

PROVIDED, HOWEVER, That after the nineteenth day of the second extraordinary session of the forty-first legislature, reconsideration may be had on the same working day only.

Senator Greive: "Unfortunately when we amended the rules for this particular session of the legislature, we did not amend it in two places where we should have. We failed to amend Rule 31; and if we do not have such a rule—and presumably the rules were carried to

their logical conclusion—a person could move to reconsider because this is the twentieth day. Then he would have the right to consider on the next working day. Then along would come the cutoff date, and we would be able to kill almost any bill on the calendar not just this particular bill. Senator Gissberg and I have worked on this. John Crowley and the Lieutenant Governor have worked on it. I discussed it with Senator Ryder, Senator Atwood, and Senator Bailey. Most of the people I have discussed this with generally agreed that this would solve our problem for the balance of the session."

Senator Gissberg: "I concur in the remarks of Senator Greive. I learned something today, and that is not to give away any parliamentary secrets to any of those who are in the back seat. I had this very maneuver in mind for the abortion bill yesterday that you gentlemen advanced. At least, henceforth, I will keep my counsel to myself on these little matters."

MOTION FOR RECONSIDERATION WITHDRAWN

There being no objection, the motion for reconsideration of the vote by which Engrossed Senate Bill No. 40 passed the Senate was withdrawn.

SENATE BILL NO. 155, by Senators Greive, Faulk and Herr:

Implementing law providing insurance for employees of state educational institutions.

The bill was read the second time by sections.

Senator Greive moved adoption of the following amendments:

On page 1, section 1, beginning on line 27, after "dependents" restore the stricken material as follows: "in an amount not to exceed ten dollars per month per employee covered"

On page 2, section 2, after "dependents" on line 19, restore the stricken material as follows: "in an amount not to exceed ten dollars per month per employee covered"

On page 3, section 3, line 6, after "dependents" restore the stricken material as follows: "in an amount not to exceed ten dollars per month per employee covered"

POINTS OF INQUIRY

Senator Dore: "Will Senator McCormack yield? If not in first place, where do we rank?"

Senator McCormack: "The studies we have had in the Higher Education Council and Higher Education Committee indicate that Washington is about seventh or eighth."

Senator Ridder: "In looking at the drawing of the bill, it refers to the code, which was changed in 1958. I do not know. I would like to ask some questions. Over in the part that deals with the code, it speaks 'only directors of school districts.' It deals only with school districts. It does not deal with trustees and such. In 1970 the Code 58 that we passed last time will become in effect and in order. I wonder how this applies, whether actually the regents, etc. I am not arguing for the regents and the trustees of higher education. I will let them argue for themselves. I am arguing here for the boards of directors of the school districts, the teachers and their dependents. This is what I am arguing for, and I think the code affects that. Can you answer to that? I would appreciate it."

Senator Atwood: "That new code affects all institutions of education including the higher education institutions. If you will recall, I put my doctorate on it. That is how I got it."

Senator Ridder: "We do recall, Senator Atwood. If that be the case then, the code would be rewritten. You would not have the regents and trustees in it according to the code rewording."

The motion carried and the amendments were adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Stender: "Will Senator Ridder yield? Senator, you spoke of your situation personally as to the Group Health versus Blue Cross."

Senator Ridder: "Right."

Senator Stender: "Would the measure now allow for you to participate if there were an agreement by the board with the teacher to participate with Group Health?"

Senator Ridder: "Automatically, it would not."

Senator Stender: "No, I mean by agreement. It would allow the directors to do that?"

Senator Ridder: "I presume it would be. Of course, it sounds like I have a whale of an interest in it. I do not, but I presume it would allow me to do this or I would be taken into the program."

Senator Stender: "Did I misunderstand your explanation awhile ago that this was what the bill was supposed to do?"

Senator Ridder: "Yes, essentially it would allow that to take place. The Group Health now would be able to come under it."

Senator Stender: "That answers my question. Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 155, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson-46.

Absent or not voting: Senators Andersen, Bailey-2.

Excused: Senator Woodall-1.

ENGROSSED SENATE BILL NO. 155, having received the 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. 190, by Senators Wilson, Donohue, McDougall and Huntley:
Relating to livestock.

REPORT OF STANDING COMMITTEE

January 26, 1970.

SENATE BILL NO. 190, relating to livestock (reported by Committee on Agriculture and Horticulture):

Recommendation: Do pass with the following amendment:

On page 1, section 1, line 3 after the ",", strike everything to and including the word "misdemeanor" on line 6 and insert "any person who shoots and injures or kills any horse, mule, cattle, sheep, swine, or goat without the permission of the owner thereof and who does not commit grand larceny as defined by RCW 9.54.090 shall be guilty of a gross misdemeanor"

Signed by: Senators Donohue, Chairman; Canfield, Day, Knoblauch, McDougall, Matson, Odegaard, Wilson.

The bill was read the second time by sections.

Senator Wilson moved adoption of the committee amendment.

Senator Wilson moved adoption of the following amendment to the committee amendment:

Amend the Agriculture and Horticulture Committee amendment as follows: On line 3 of the amendment, after "who" and before "any" strike "shoots and injures or kills" and insert "injures or kills by shooting"

POINTS OF INQUIRY

Senator Bailey: "Will Senator Wilson yield? Mr. President, I wanted to ask Senator Wilson if it is not true that most of your trouble comes from the Seattle hunter that does not know a cow from a deer."

Senator Wilson: "I am not about to lose thirty or forty votes by answering that question."

Senator Bailey: "Senator Wilson, wouldn't it be easier if you farmers would go out and write the word 'cow' on the side of each one of these animals so that they would know the difference?"

Senator Wilson: "That would be a great help, Senator."

Senator Peterson (Ted): "Will Senator Wilson yield? What happens if the city hunter shoots the bull, and you say he is worth six or eight hundred dollars. You want him to go

down and report it. What happens then? After he shoots the bull and he pays off, would that be his bull to use for hamburger or how?"

Senator Wilson: "I cannot imagine the hunter who has shot the bull going down to report it. He would be more likely to head back to Seattle, Senator."

Senator Ryder: "Will Senator Wilson yield? Your answer to Senator Peterson is a good example of how to lose thirty or forty votes after you picked them up. Senator, your first answer to Senator Bailey, I thought, showed the growing appreciation of the eastern Washington rural areas of the help that they are getting from their urban cohorts here but in a word you can undo this whole thing."

Senator Wilson: "Senator Ryder, with respect to my previous answer, I have amended the word 'Seattle' to read 'Ellensburg.' "

The motion carried and the amendment to the committee amendment was adopted.

The motion carried and the committee amendment as amended was adopted.

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 190 was advanced to third reading, the second reading considered the third, and the bill was passed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 190, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Absent or not voting: Senator Greive—1.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 19, by Senators Dore, Gissberg, Mardesich and Stortini:
Establishing day care centers in class AA and class A counties.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 19, establishing day care centers in class AA and class A counties (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 after "care" and before "for" strike "center" and insert "services"

On page 1, section 1, line 8 after "ages of" and before "and" strike "three" and insert "one"

On page 1, section 1, line 8 after "years" strike all of the material down to and including "same" on line 10 and insert "residing with caretaker relatives as defined in RCW 74.12.010 in accordance with eligibility standards set by the department consistent with RCW 74.12.340"

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Faulk, Metcalf, Ridder.

The bill was read the second time by sections.

On motion of Senator Stortini, the committee amendments were adopted.

POINT OF INQUIRY

Senator Canfield: "Will Senator Dore yield? Senator, I know that you are the

Chairman of the Appropriations Committee. I am just wondering if this bill has cleared the Ways and Means Committee."

Senator Dore: "Yes, Senator, as you will recall, seven months ago this same bill and the same amount passed the Ways and Means Committee. We had an extensive hearing on it and we cleared it. This time rather than send it to Ways and Means it was cleared in the Labor Committee. When it came back out rather than re-referring it again back to the same committee and the same membership which had approved it seven or eight months ago, we thought that we would expedite it by sending it right into the Committee on Rules. It is the same bill and the same appropriation, and it provides for one dollar of state money to receive three dollars of matching money."

Senator Canfield: "Senator Dore, I am not quite sure that passing a bill seven months ago would mean it has cleared the Ways and Means Committee now. Would you please clarify that?"

Senator Dore: "I cannot other than I have answered, Senator."

MOTION

Senator Canfield moved that Engrossed Senate Bill No. 19 be referred to the Committee on Ways and Means.

POINT OF ORDER

Senator Mardesich: "Mr. President, the question would arise as to whether or not this measure under the motion made by Senator Canfield would be considered an appropriation measure within our rules and be, therefore, open to consideration after this date since that bill does have in it an absolute appropriation, a dollar appropriation, and that as distinguished from a bill which may have fiscal impact but no direct dollar appropriation."

RULING BY THE PRESIDENT

The President: "The President believes that the measure would come under the provisions of Senate Concurrent Resolution No. 1."

POINT OF INFORMATION

Senator Mardesich: "Is your ruling then that this is a measure which may be considered after today until the end of the session because it is an appropriation measure?"

REPLY BY THE PRESIDENT

The President: "Yes, Senator Mardesich."

POINT OF INFORMATION

Senator Mardesich: "Is that on the basis that it has a dollar figure in it?"

REPLY BY THE PRESIDENT

The President: "It makes an appropriation, Senator. I believe one hundred fifty thousand dollars."

POINT OF INQUIRY

Senator Atwood: "Will Senator Durkan yield? Senator Durkan, we have several of these bills that we did consider last time that did go through Ways and Means. Is it still the policy that even though they did go through last spring that you want Ways and Means to look at them? We have several of them in Rules that have appropriations."

Senator Durkan: "I intend to support Senator Canfield's motion."

Senator Atwood: "All right, you answered my question."

POINT OF ORDER

Senator Metcalf: "Following up on what Senator Mardesich said, Senate Bill No. 309, which is down about two bills on the calendar, does have a possible fiscal impact, does not

carry an appropriation. I would ask for a ruling now. If you rule that it could be considered later, I will move to have that 309 sent to Ways and Means; but if the ruling goes the other way, I certainly would not. I would be very much interested in getting to this specific case."

Senator Durkan: "Responding to Senator Metcalf, Mr. President, there is no question that there is a fiscal impact in 309 of a magnitude that none of us really know the answer to. I am going to put that in Ways and Means too with the consent of the Senate."

REPLY BY THE PRESIDENT

The President: "The President will study Senate Bill No. 309 and perhaps have an answer for you by the time it comes before the Senate, Senator Metcalf."

POINT OF ORDER

Senator Dore: "Mr. President, I do not want to assume the burden of Senator Metcalf's argument on his bill in this particular bill. I hope you divorce that bill and the argument pertaining to it from the present motion and support my position in this matter and vote down the pending motion so we can expedite this program and get it over to the House so they will be able to take up this matter before the funds run out to maintain child care centers in Holly Park and other centers in areas of Seattle and Tacoma."

Senator Canfield: "Mr. President, I would like to reassure Senator Dore that it is not my objective at all to hamper this bill; but I think that in the orderly process of handling bills we should not rely upon something that happened last spring. We should take a look at it today."

The motion by Senator Canfield carried on a rising vote. Engrossed Senate Bill No. 19 was referred to the Committee on Ways and Means.

SENATE BILL NO. 179, by Senators Odegaard, Lewis (Harry) and Atwood:
Establishing health care programs for state employees.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 179, establishing health care programs for state employees (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2 (1), line 13 after "house," and before "All" insert "The senate and house members of the board shall serve in ex officio capacity only."

On page 4, section 5, line 18, after "limited to" strike "fifteen" and insert "ten"

Signed by: Senators Stortini, Chairman; Bailey, Durkan, Faulk, Matson, Ridder, Stender.

The bill was read the second time by sections.

On motion of Senator Stortini, the committee amendments were adopted.

On motion of Senator Durkan, the following amendment was adopted:

On page 5, section 9, line 20, after "board" and before "in" insert " , subject to appropriation of funds for that purpose,"

On motion of Senator Stortini, the rules were suspended, Engrossed Senate Bill No. 179 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 179, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Absent or not voting: Senators Andersen, Pritchard—2.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:30 p.m., on motion of Senator Henry, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SECOND READING

SENATE BILL NO. 309, by Senator Metcalf:

Providing that methods teachers may be given leave to obtain classroom experience.

MOTIONS

On motion of Senator Metcalf, Senate Bill No. 309 was referred to the Committee on Ways and Means.

On motion of Senator Odegaard, the Senate Committee on State Government was relieved of further consideration of Engrossed House Bill No. 203.

On motion of Senator Odegaard, Engrossed House Bill No. 203 was referred to the Senate Committee on Labor and Social Security.

SENATE BILL NO. 311, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 311 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Washington: "Will Senator Ryder yield? Would you see any objection to having a maximum interest rate of twelve percent? At least I think it is high enough above what the going rate is, and at the same time it would answer some fears about going above the usurious rate of twelve percent. It seems to me that an amendment such as that might cure the objections and not in any way hurt the bill."

Senator Ryder: "Mr. President, in answer to Senator Washington's question, twelve percent may be right. This has nothing to do at all with our usury law. In the sale of these bonds, we have to go to the market. We must pay whatever the market requires us to pay if we want to sell them. In 1967 when we first passed this bill, we had six percent in there. At the time that seemed perfectly adequate. There was no problem. By the time it was passed in 1968 and they got around to the sale of these bonds, municipal bonds were up over seven percent; so they could not sell them. Hopefully, twelve percent would be more than adequate, Senator; but I cannot guarantee that any more than I can guarantee the six percent that we used in 1967. I think that if the people of the state want to issue these bonds for the purposes which are outlined in this bill, which is the Outdoor Recreation Bond, then we should be required to meet the market. I can understand Senator Gissberg's apprehension as far as usury is concerned, but again I would say that this has nothing whatsoever to do with the interest that can be charged by lending institutions and others in the state."

Senator Washington: "Will Senator Gissberg yield? I know you have given this considerable thought. Is there some place that you know of there where say a twelve percent ceiling could be put in so that this safeguard could be made clear?"

Senator Gissberg: "Yes, it could be done. It would have to be moved back to second reading, and there would have to be a couple amendments placed on it. It could be done."

Senator Washington: "I believe the same problem is going to, I think, arise on the next series of bills. I would move at this time that this bill, 311, be returned to second reading for the purpose of putting on the maximum interest limitation."

MOTION

Senator Washington moved that Senate Bill No. 311 be returned to second reading.
Debate ensued.
The motion by Senator Washington lost on a rising vote.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 311, and the bill passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Henry, Herr, Holman, Knoblauch, Lewis (Harry), McDougall, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Stortini, Talley, Walgren, Washington, Williams, Wilson—31.

Voting nay: Senators Cooney, Day, Gissberg, Greive, Guess, Huntley, Keefe, McCormack, McCutcheon, Mardesich, Marquardt, Peterson (Lowell), Sandison, Stender, Twigg—15.

Absent or not voting: Senators Andersen, Lewis (Brian)—2.

Excused: Senator Woodall—1.

SENATE BILL NO. 311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 315, by Senators Ryder and Durkan (by State Finance Committee request):

Permitting interest coupons to be used as an instrument of payment.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 315 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 315, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Absent or not voting: Senators Bailey, Lewis (Brian)—2.

Excused: Senator Woodall—1.

SENATE BILL NO. 315, having received the 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. 317, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of capital improvement

bonds by the state finance committee to support state institutions and providing for a vote of the people.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the following amendment:

On page 1, section 1, line 18, after "bear," insert "but not in excess of twelve percent per annum,"

Debate ensued.

POINT OF INQUIRY

Senator Dore: "Will Senator Ryder yield? You are my banker, Senator; and I do this with a certain amount of fear and trepidation to ask you this question. These are municipal bonds, are they not, that are tax exempt?"

Senator Ryder: "This is correct."

Senator Dore: "You can usually apply a multiple of two to one on these bonds as far as income goes because men who buy them usually are in the fifty percent bracket and up, so you buy these bonds at six percent. Actually it is worth the return to you of twelve percent as contrasted to having stocks or bonds and something else, so in effect when we go up to twelve percent that in effect is to give a guaranteed income of two times twelve percent or twenty-four percent. Isn't that correct?"

Senator Ryder: "I resent your use of the word 'you.' I do not own any municipal bonds. . . ."

Senator Gissberg demanded a roll call and the demand was sustained by Senators Mardesich, Peterson (Lowell), Ridder, Stender, Washington, Bailey, Canfield, Donohue and Guess.

ROLL CALL

The Secretary called the roll and the amendment by Senator Gissberg was adopted by the following vote: Yeas, 31; nays, 15; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Francis, Gissberg, Greive, Guess, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Twigg, Washington—31.

Voting nay: Senators Atwood, Elicker, Faulk, Foley, Henry, Holman, Huntley, McDougall, Newschwander, Pritchard, Ryder, Talley, Walgren, Williams, Wilson—15.

Absent or not voting: Senators Lewis (Brian), Lewis (Harry)—2.

Excused: Senator Woodall—1.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 317 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 317, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—44.

Voting nay: Senators Guess, Twigg—2.

Absent or not voting: Senators Bailey, Lewis (Brian)—2.

Excused: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 317, having received the 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. 318, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the following amendment:

On page 1, section 1, line 17, after "bear," insert "*but not in excess of twelve percent per annum,*"

Debate ensued.

POINTS OF INQUIRY

Senator Guess: "Will Senator Gissberg yield? Senator Gissberg, do you believe—and I believe from your remarks a while ago that you have a feeling—that interest rates will follow the ceiling? Shouldn't we keep this down to ten rather than twelve?"

Senator Gissberg: "No, I do not necessarily believe that the interest rates will follow the ceiling. I think that you have to make the determination of whether or not there should be a ceiling on it rather than no ceiling on it. Certainly the maximum of twelve percent is not a term of art as far as I am concerned but is only utilized because that is the maximum rate otherwise established by this legislature in all other fields of interest. I would not wish to further handicap or jeopardize the adoption of this amendment by further reducing it to ten because I am afraid that if we did that we would end up not being able to actually adopt the amendment. There should be some flexibility in it as I foresee that there will be additional pressure brought by our national administration to control inflation by means of raising interest rates; but I do not know, of course, whether the national administration will see that it is not able to do so by the device of interest rates. There seems to be some feeling among the national administration that policy is not stopping inflation. At least I know that when my wife goes to the store to buy groceries, it is obvious to her that the high interest rate is not accomplishing what it intended to do. It has been most beneficial for those who are engaged in the money market, but it certainly does not help the consumer. Nonetheless, I think that although I am sympathetic with your suggestion, Senator, I am realistic in believing that this amendment can pass; but I would not be so optimistic to believe that the ten percent could pass."

Debate ensued.

The motion carried and the amendment was adopted.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 318 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Ryder yield? Senator Ryder, in the Budget Committee studies that we have made from time to time on bond issues, there is a substantial amount of money as you so well know in the carrying charges. I mean by that the interest over the term of the bond issue. I wonder if you could tell the body what the interest charges would be on a bond issue at ten percent over twenty years."

Senator Ryder: "I would have to know more about it than that, sir; and I think that I do not want to off the cuff answer that question on the floor. If you want to hold the bill over until next week sometime, I will be glad to get a few statisticians working and give you a complete answer to it."

Senator Canfield: "I would not want to do that, Senator Ryder; but as I recollect, the carrying charges on the interest rates we now have run about thirty to thirty-five percent of the face value of the bonds. Is that essentially correct?"

Senator Ryder: "I do not know."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 318, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon,

McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—46.

Absent or not voting: Senators Lewis (Brian), Williams—2.

Excused: Senator Woodall—1.

ENGROSSED SENATE 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.

POINT OF INQUIRY

Senator Holman: "Will Senator Ryder yield? Senator Ryder, we now have passed Senate Bills Nos. 311, 317, and 318, all three relating to submission to voters for approval of raising the permissible interest rate; but I notice that 311, which we passed first, does not carry, if I am correct, the Gissberg amendment. This bothers me somewhat because they are all three going to be in the voter's pamphlet one right after another, and a substantial number of people voted against 311, I believe, because it did not carry the Gissberg amendment. Would it not be wise in your opinion, Senator, if we reconsidered 311, got it back to second reading and put it on so they would all three be consistent? Would you have any views on that?"

Senator Greive: "I suggest that if the gentlemen have this problem and there is still time to reconsider, why don't they get together, discuss it, see what is wise, and make a recommendation to us rather than try to do it here on the floor. It is a little cumbersome to try to carry on such a conversation."

Senator Ryder: "Mr. President, of course, the body can do whatever they would like. These bills have to go to the House. It is quite possible the House will put the amendment on over there, which would be the easiest way to do it. Maybe they will take the amendment off the other two, so I would just as soon let them go on over to the House and let the House decide what they want to do."

SENATE BILL NO. 133, by Senators Cooney and Twigg (by departmental request):

Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.

MOTION

On motion of Senator Mardesich, Substitute Senate Bill No. 133 was substituted for Senate Bill No. 133 and the substitute bill was placed on second reading and read the second time in full.

Senator Gissberg moved adoption of the following amendment:

On page 7, section 9, beginning on line 32, strike all the matter down through line 2 on page 8.

Debate ensued.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Mardesich yield? I am in the process of preparing an amendment. I would like to ask you a question if I may before you advance it. I call your attention to page seven, line thirty-two. As I understand this bill, it would be a guaranty fund which would be utilized to pay the claims for an insolvent insurance company, which for one reason or another has been declared to be insolvent. This guaranty fund is a contribution by other insurance companies that this corporation set up by this act would assess against other companies engaged in this activity. However, on line thirty-two it appears that this ultimate burden would fall upon the taxpayers of the state of Washington rather than the companies themselves. Therefore, it would appear that there is no great sacrifice being made by the insurance companies at all, that they would just offset the contributions that they made by getting a credit under premium tax that they paid to the state of Washington. Is my assumption correct as I read that?"

Senator Mardesich: "Mr. President, gentlemen of the Senate, Senator Gissberg, your assumption is basically correct. However, if you will go to the next page, page eight, subsection four, the implication of that subsection is that after an insolvent company has been through the process of dissolution and the assets of that company have been sold, whatever assets are remaining after the completion of the dissolution would then be turned over to the state in repayment of the tax loss the state has suffered. There is no measurable amount that could be placed on that, of course, because it would depend on the size of the

loss. Again this is a philosophical thing, and I think that you could relate this whole measure actually to the FDIC system that our banks have where deposits are guaranteed up to certain amounts. In this case eventually the bank does not pay what goes to the FDIC. Although they do pay it directly, it still comes out of the public's pocket eventually. Certainly the banks do not take it out of their own pocket, out of their capital and assets. They take it out of the profits they make."

Senator Peterson (Ted): "Will Senator Gissberg yield? Senator Gissberg, I wanted to be on record here of having at least posed the question on this. I think I know who we refer to here and what company this is, and I in my particular district have run into so many unfortunate people that have lost considerable sums through the dissolution you might say of an insurance company. I have volumes of mail and information of just what went on but don't you think that we should go further or somehow they should receive protection, that we should have more stringent laws that would really take care of matters of this kind rather than leave them open as they have and allow these companies to continue? We seem to know the insurance commissioner. I wanted to ask you too if this piece of legislation is sanctioned by the insurance commissioner."

Senator Gissberg: "Senator Peterson, it is not my bill. I did not introduce it. I would assume that this bill applies to the Federal Old Line Life Insurance Company, the problem that has been created as a result of the insolvency of that company. I further assume that the thrust of this bill is such that it will either prevent or perhaps even assist in the payment of claims to policyholders of future insolvencies and whether it would affect the Federal Old Line situation at this time, I do not know.

"In any event, the thrust of this whole bill is to prevent at least what has happened in the situation of which you speak and my amendment, of course, that is presently before the body will in no way interfere with attempting to do something about creating a fund so as to guarantee the payment of life insurance policies by a defaulting company.

"I think this is a step in the right direction to do that. Whether it should be on the basis of post-assessment as Senator Mardesich indicates or a pre-assessment, I do not have any particular beef so long as the mechanics are there so that purchasers of life insurance policies will be able to be paid and will not have the fear of a company becoming insolvent after they have placed their life's savings—not necessarily their life's savings, but in some instances I think that would be true—but at least upon the death of a loved one to find that the money that had been expressed to be received by the surviving spouse or children was not there."

MOTION

On motion of Senator Ryder, Senate Bill No. 133 and the pending amendment by Senator Gissberg was ordered placed at the end of the second reading calendar for today.

SENATE BILL NO. 208, by Senator Talley:

Relating to municipal corporations and other public agencies.

MOTION

On motion of Senator Greive, Substitute Senate Bill No. 208 was substituted for Senate Bill No. 208 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Substitute Senate Bill No. 208 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Lewis (Brian): "Will Senator Greive yield? Senator, I think that this is as Senator Washington has indicated good legislation that is long overdue but I am a little bit curious if you could explain to me. On page two, lines seven and eight, I understand why we do not want them to pay any discounts, commissions, etc., and so forth. What is the philosophical argument against permitting an agency to receive a bid of less than par? It ends up as being part of a total list, net interest costs. Supposing it was a million dollar issue, if they could live with receiving nine hundred ninety thousand, what is the philosophical argument for preventing that if it ends up as being part of a lower net interest cost?"

Senator Greive: "I think that this is a very standard provision. This language has been lifted from other places where it has been used. I think the feeling is that it is better to work in the area of interest and less interest rather than having the question of par because then you begin to get the situation where you are comparing grapefruit and bananas. You really do not know which is which any time you are going to have a bid procedure. I think it is

best to lay out the specifics of a bid procedure so that it is consistent. I would say that if you had some amendatory language that provided less than par could be one of the factors considered, we would have—at least I would have—no objection to adding that as an amendment. In other words it is not the less than par that I am against; it is simply that here we have a method that has been used, that seems to have worked. I am merely sticking with a tried path. I do not know if that answers you your question but that is the way I feel.”

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 208, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odeggaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Absent or not voting: Senator Francis—1.

SUBSTITUTE SENATE 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.

SENATE BILL NO. 323, by Senators Greive and Woodall (by Joint Committee on Governmental Cooperation request):

Pertaining to the deposit and investment of public funds.

REPORT OF STANDING COMMITTEE

January 29, 1970.

SENATE BILL NO. 323, pertaining to the deposit and investment of public funds (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 5 insert the following:

“Section 1. Section 1, chapter 156, Laws of 1915 and RCW 9.54.050 are each amended to read as follows:

Any person who shall with intent to defraud make, or draw, or utter, or deliver to another person any check, or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing, or delivery, that he has not sufficient funds in, or credit with said bank or depository, to meet said check, in full upon its presentation, shall be guilty of larceny. The word “credit” as used herein shall be construed to mean an arrangement or understanding with the bank for the payment of such check or draft, and the uttering or delivery of such a check or draft to another person without such fund or credit to meet the same shall be prima facie evidence of an intent to defraud.

This section shall not apply to the making, drawing, uttering or delivering of a state or other public warrant or check by the state treasurer or any treasurer of a municipal corporation or political subdivision of the state.

NEW SECTION. Sec. 2. There is added to chapter 8, Laws of 1965 and to chapter 43.08 RCW a new section to read as follows:

Upon or before July 1, 1971, not less than ninety-six percent of all state funds available for investment and under the custody or control of the state treasurer shall be invested by him in securities and in investment deposits, as defined in RCW 39.58.010 (8), in such a way as to realize the maximum return consistent with safe and prudent treasury management.

The rate or rates of interest upon investment deposits shall not be less than the rate or rates of interest fixed by the public deposit protection commission pursuant to RCW 39.58.120.”

In line 1 of the title before the period after “funds” insert “; and prescribing penalties”

Signed by: Senators Walgren, Chairman; Atwood, Day, Henry, Huntley, Lewis (Harry), Marquardt, Newschwander, Ryder, Washington.

The bill was read the second time by sections.

Senator Greive moved adoption of the committee amendment to page 1.

On motion of Senator Greive, the following amendment to the committee amendment was adopted:

Amend the State Government Committee amendment as follows:

On the third line of the underlined material, after "warrant" strike "or check"

On motion of Senator Atwood, the following amendment to the committee amendment was adopted:

Amend the State Government Committee amendment as follows:

In the first line of the second paragraph of new section 2, strike "Upon" and insert "On"

On motion of Senator Atwood, the committee amendment, as amended, was adopted.

On motion of Senator Greive, the following amendment to the committee amendment to the title was adopted:

Strike "and prescribing penalties" and insert "describing crimes; and amending section 1, chapter 156, Laws of 1915 and RCW 9.54.050"

On motion of Senator Greive, the committee amendment to the title as amended was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 323 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Ryder: "Will Senator Greive yield? Senator Greive, as I read this, section two is really the meat of your bill. You say 'not less than ninety-six percent of all state funds available for investment' and then 'under custody and control of the treasurer' and so forth. What funds are available for investment? I mean, how is this defined?"

Senator Greive: "I think the answer to that is that I do not ever joust with Senator Woodall when it comes to jousting, and I am not going to discuss the funds with a banker who knows far more than I do. I can give you some general explanation, and maybe somebody else can supply more details. In general I know that this particular system is one used in California and Idaho. I know that this is the language they used. In general we merely have set the date of July 1, 1971, as the date on which it has to be done so this takes us even beyond the next session. It would seem to me in general then this says 'You work out a system and if there are some bugs in it, you come back the next session of the legislature.' It may be that what funds are available for investment have to be redefined. I would assume just as a layman now and not as a banker—and I am not in your league, I am sure—that most of the state funds could be invested at least in some sort of short term notes."

Senator Ryder: "Is this not now the responsibility of the treasurer to keep all funds available for investment? Would not this be his moral responsibility if not his legal responsibility?"

Senator Greive: "No, I do not think that is true. I think the interpretation in the first part of the bill as I pointed out has been his interpretation and I think with good justification up until this bill or something similar is passed that as long as there are funds that can be drawn upon at anytime, it is necessary that he have them in a fluid position so they can immediately be drawn to take care of any warrants that may be outstanding. In return for this, of course, there is a number of banking charges and various things that are forgotten. At least that is the way this report explains it to me. We do get some remuneration but maybe when the interest rate was back at two, three, and four percent and that sort of thing, this was pretty good practice. As of now, the interest rate has risen to the point where it is very profitable to go the other way."

Senator Ryder: "Senator Greive, I would agree with every word you say but we still get back to the point, how does this change the present law. Isn't the state treasurer charged now with the responsibility of investing all funds?"

Senator Greive: "I will yield to my colleague, Senator Dore."

Senator Dore: "This exact questioning that you are asking I asked the treasurer at the hearing that Senator Walgren held and he said that he is already investing a hundred percent of all funds now. So I said 'Well, under this bill you have a four percent leeway.' The benefit of this is that it is a directive to him. I am sure that he is investing a hundred percent of all available funds in his discretion. In other words, right now it is not really mandatory upon him."

"This will be a guideline to him, and we may have another treasurer sometime that decides not to invest a hundred percent of all state funds available. This at least requires him to invest ninety-six percent. In this case of our present treasurer, he testified that he was already investing a hundred percent of all funds; and we are talking about—well I will not comment on that . . . That question I asked the treasurer himself."

Senator Ryder: "Then this really does not change the law at all. It just merely prods the treasurer a little. Is that it?"

Senator Dore: "It gives the guideline. Of course, the courts may have to interpret what a hundred percent of investments are. I assume that is a discretionary thing to some extent, and we cannot completely have a rigid guideline. I think this is salutary in the sense it gives the guideline. He said he is already investing a hundred percent of all funds now in his

judgment, so I said 'Well under this bill it is ninety-six percent.' He has a four percent leeway."

Senator Peterson (Ted): "Will Senator Dore yield? Senator Dore, on what is termed 'available funds,' can you tell me what the minimum would be on the time deposit that would be required? Can it be sixty days or ninety days? What is the minimum on accounts like that?"

Senator Dore: "Mr. President and members of the Senate, I asked that question of the treasurer also. Senator Atwood properly explained this bill. I did not quite go into it but the thing is that right now we are talking about fifty million dollars that is used to cover all warrants. In other words any warrant that is written even though it may not be presented for sixty or ninety days, the money must be in the account to cover it when it comes in. Naturally, we are talking about a sum of forty or fifty million dollars. This criminal sanction of possibly being guilty of larceny by check will be taken away from the treasurer, so he will not after this have to have every dollar in the checking account when he issues a warrant. He can establish an average time when the warrants are returned back for presentation. Presumably, we are talking about fifty million dollars. Maybe we can then take twenty-five million dollars of that, invest it in other investments, and get five or six percent for it. Under the second section of the bill, it is mandatory that he invest ninety-six percent of that so-called twenty-five million dollars in investment; so I cannot answer your question. Not even the treasurer would venture a guess on it, but I think we will have to probably establish a lead time. It probably would be maybe twenty days, have an average account maybe set up or maybe even put a bond up to make sure that the warrants are honored when they are presented. I think the total impact of this situation may be that twenty or thirty million dollars may be released for investment, which is now tied up under the threat of possible violation of a criminal section of this statute."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 323, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-46.

Absent or not voting: Senators Bailey, Day, Francis-3.

ENGROSSED SENATE 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.

SENATE BILL NO. 49, by Senators Canfield, Sandison, Pritchard, Andersen, Holman, McCormack, Peterson (Ted), Talley, Ridder, Peterson (Lowell) and Greive (by executive request):

Providing for the location and regulation of thermal power facilities.

REPORT OF STANDING COMMITTEE

January 30, 1970.

SENATE BILL NO. 49, providing for the location and regulation of thermal power facilities (reported by Committee on Natural Resources, Fisheries and Game):

Recommendation: Do pass with the following amendment:

After the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. The legislature finds that the present and predicted growth in electric power demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for thermal generating facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites and the routing of associated transmission lines will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington that, while recognizing the pressing need for increased power generation facilities, the state shall ensure through available and reasonable methods, that the location and operation of thermal power plants will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for

thermal power plant location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are consistent with criteria established by the federal government and within the limits set by Washington state as being technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) To provide abundant low-cost electrical energy.

NEW SECTION. Sec. 2. (1) "Applicant" means any person or electrical utility who makes application for a site location certification pursuant to the provisions of this act;

(2) "Application" means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this act;

(3) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized;

(4) "Electric utility" means cities and towns, individuals, public utility districts, regulated electrical companies, electric cooperatives and joint operating agencies, or combinations thereof, engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy;

(5) "Site" means any proposed location wherein the power plant, related or supporting facilities, and associated transmission lines will be located;

(6) "Certification" means a binding agreement between an applicant and the state which shall embody compliance to the siting guidelines adopted in section 5 of this act as conditions to be met prior to or concurrent with the construction or operation of any thermal power plant coming under this act;

(7) "Associated transmission lines" means new transmission lines constructed to operate at nominal voltages in excess of 200,000 volts to connect a thermal power plant to the northwest power grid;

(8) "Independent consultants" means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies;

(9) "Thermal power plant" means, for the purpose of certification, any electrical generating facility using any fuel, including nuclear materials, for distribution of electricity by electric utilities;

(10) "Thermal power plant site evaluation council" or "council" means the body defined under section 3 of this act;

(11) "Counsel for environment" means an assistant attorney general or a special assistant attorney general who shall represent the public in accordance with section 8 of this act;

(12) "Construction" means on-site work and construction shall not be deemed to have commenced until there has been an expenditure of not less than two hundred fifty thousand dollars in on-site improvements, excluding exploratory work;

(13) "Chairman" means the chairman of the thermal power plant site evaluation council;

(14) "Member agency" means departments, agencies and commissions enumerated in subsection (3) of section 3 of this act.

NEW SECTION. Sec. 3. (1) There is hereby created and established a "thermal power plant site evaluation council".

(2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate and shall serve at the pleasure of the governor. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03.028 as now or hereafter amended.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies and commissions or their statutory successors:

- (a) Water pollution control commission
- (b) Department of water resources
- (c) Department of fisheries
- (d) Department of game
- (e) State air pollution control board
- (f) Department of parks and recreation
- (g) Department of health
- (h) Interagency committee for outdoor recreation
- (i) Department of commerce and economic development
- (j) Utilities and transportation commission
- (k) Office of program planning and fiscal management
- (l) Department of natural resources
- (m) Planning and community affairs agency
- (n) Department of civil defense
- (o) Department of agriculture.

(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers

the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site.

NEW SECTION. Sec. 4. The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations to carry out the provisions of this act, and the policies and practices of the council in connection therewith;

(2) To appoint an executive secretary to serve at the pleasure of the council;

(3) To appoint and prescribe the duties of such clerks, employees and agents as may be necessary to carry out the provisions of this act: PROVIDED, That such persons shall be employed pursuant to the provisions of chapter 41.06 RCW.

(4) To develop and apply topical environmental and ecological guidelines in relation to the type, design, and location of thermal power plant sites and associated transmission line routes;

(5) To establish rules of practice for the conduct of public hearings pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.04 RCW.

(6) To prescribe the form, content, and necessary supporting documentation for site certification;

(7) To receive applications for site locations and to investigate the sufficiency thereof;

(8) To make and contract, when applicable, for independent studies of thermal power plant sites and transmission line routes proposed by the applicant;

(9) To conduct hearings on the proposed location of the thermal power plant sites and, when applicable, the associated transmission line routes;

(10) To prepare written reports to the governor which shall include: (a) a statement indicating whether the application is in compliance with the council's topical guidelines, (b) criteria specific to the site and transmission line routing, and (c) a council recommendation as to the disposition of the application;

(11) To prescribe the means for monitoring of the effects arising from the construction and the operation of thermal power plants, and where applicable, associated transmission lines to assure continued compliance with terms of certification.

NEW SECTION. Sec. 5. Promptly after it is organized under this act, the council shall give notice, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, of intention to adopt as rules the comprehensive guidelines heretofore recommended by the thermal power plant evaluation council. The thermal power plant site evaluation council shall adopt the proposed guidelines as rules after making any changes or additions that are appropriate in view of facts and testimony presented at the hearing, provided that the guidelines so changed are consistent with the purposes of this act.

NEW SECTION. Sec. 6. (1) Provisions of this act shall apply to any stationary thermal power plant with generating capacity of two hundred fifty thousand kilowatts or more and floating thermal power plants of fifty thousand kilowatts or more, including associated transmission lines installed anywhere within the state of Washington. No construction of a new facility may be undertaken, after the effective date of this act, without first obtaining certification in the manner as herein provided.

(2) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

NEW SECTION. Sec. 7. (1) The council shall receive all applications for thermal power plant site certification. A fee of twenty-five thousand dollars for each proposed site, to be applied toward the cost of any study authorized in subsection (2) of this section, shall accompany the application and shall be a condition precedent to any further consideration or action on the application by the council.

(2) After receiving an application for site certification, the council shall commission its own, independent consultant study to measure the consequences of the proposed power plant on the environment for each site application. The council shall direct the consultant to study any matter which it deems essential to an adequate appraisal of the site. The full cost of the study shall be paid by the applicant: PROVIDED, That said costs exceeding a total of twenty-five thousand dollars shall be payable subject to applicant giving prior approval to such excess amount.

(3) All payments required of the applicant under this section are to be made to the state treasurer, who in turn shall pay the consultant as instructed by the council. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant.

NEW SECTION. Sec. 8. After the council has received a site application, the attorney general shall appoint an assistant attorney general or a special assistant attorney general as a counsel for the environment who shall be a member of the bar of the state of Washington. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment for the duration of the certification proceedings, until such time as the certification is issued or denied.

He shall be accorded all the rights, privileges and responsibilities of an attorney representing a formal party. This section shall not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this act.

NEW SECTION. Sec. 9. (1) The council shall conduct a public hearing in the county of the proposed site within sixty days of receipt of an application for site certification: PROVIDED, That the place of such public hearing shall be as close as practical to the proposed site.

(2) The council must determine at the initial public hearing whether or not the

proposed site is consistent and in compliance with county or regional land use plans or zoning ordinances. If it is determined that the proposed site does conform with existing land use plans or zoning ordinances the county or regional planning authority shall not thereafter change such land use plans or zoning ordinances so as to affect the proposed site.

(3) Prior to the issuance of a council recommendation to the governor under section 10 of this act a public hearing, conducted as a contested case under chapter 34.04 RCW, shall be held. At such public hearing any person shall be entitled to be heard in support of or in opposition to the application for certification.

(4) Additional public hearings shall be held as needed.

NEW SECTION. Sec. 10. (1) The council shall report to the governor its recommendations for the disposition of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant.

(2) Within sixty days of receipt of the council's report the governor shall approve or reject the application for certification.

(3) The issuance or denial of the certification by the governor shall be final.

(4) Upon approval by the governor of the application for certification the chairman of the council shall within thirty days compose and submit a certification agreement for execution by the governor and the applicant.

NEW SECTION. Sec. 11. (1) If any provision of this act is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, or any rule or regulation promulgated thereunder, this act shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this act.

(2) The state hereby preempts the regulation and certification of thermal power plant sites and thermal power plants as defined in section 2 of this act.

NEW SECTION. Sec. 12. (1) Subject to the conditions set forth therein any certification signed by the governor shall bind the state or any of its departments, agencies, divisions, bureaus, commissions or boards as to the approval of the site and the construction and operation of the proposed thermal power plant and any associated transmission lines.

(2) The certification shall authorize the person or electric utility named therein to construct and operate the proposed thermal power plant and any associated transmission lines subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission or board of this state.

NEW SECTION. Sec. 13. Any certification may be revoked or suspended:

(1) For any material false statement in the application or in the supplemental or additional statements of fact or studies required of the applicant which would have warranted the council's refusal to recommend certification in the first instance; or

(2) For failure to comply with the terms or conditions of the original certification; or

(3) For violation of the provisions of this act, regulations issued thereunder or order of the council.

NEW SECTION. Sec. 14. (1) The approval or rejection of an application for certification by the governor shall be subject to judicial review.

(2) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 15. (1) The courts are authorized to grant such restraining orders, and such temporary and permanent injunctive relief as is necessary to secure compliance with this act and/or with a site certification agreement issued pursuant to this act. The court may assess civil penalties in an amount not less than one thousand dollars per day nor more than twenty-five thousand dollars per day for each day of construction or operation in material violation of this act, or in material violation of any site certification agreement issued pursuant to this act.

(2) Wilful violation of any provision of this act shall be a gross misdemeanor.

(3) Civil or criminal proceedings to enforce this act may be brought through the attorney general by the prosecuting attorney of any county affected by the violation.

(4) The remedies and penalties in this section, both civil and criminal, shall be cumulative and shall be in addition to any other penalties and remedies available at law, or in equity, to any person.

NEW SECTION. Sec. 16. The council shall make available for public inspection and copying during regular office hours at the expense of any person requesting copies, any information filed or submitted pursuant to this act.

NEW SECTION. Sec. 17. If any provision of this act, or its application to any person or circumstance is held invalid, with the exception of sections 11 and 12 of this act, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.

NEW SECTION. Sec. 18. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 19. Sections 1 through 18 of this act shall constitute a new chapter in Title 80 RCW."

On page 1, line 1 of the title after "plants;" strike the remainder of the title and insert "providing for the certification of siting and association transmission line routing;

establishing a thermal power plant site evaluation council; adding a new chapter to Title 80 RCW; prescribing penalties; and declaring an emergency.”

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Metcalf, Odegaard, Peterson (Ted), Sandison, Talley.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment to the committee amendment:

On page 5, section 5, line 24, strike “heretofore”

POINTS OF INQUIRY

Senator Mardesich: “Will Senator Peterson (Lowell) yield? Senator Peterson, section five on page five says ‘Promptly after it is organized under this act, the council shall give notice pursuant to the Administrative Procedure Act’ and so on . . . ‘of intention to adopt as rules the comprehensive guidelines heretofore.’ ‘Heretofore,’ I repeat, ‘recommended by the thermal power plant evaluation council.’ If I understand it correctly, I do not think the thermal power plant evaluation council is created yet so how could they have heretofore recommended anything?”

Senator Peterson (Lowell): “This language might not be entirely clear but in view of the fact that they will be published in accordance with the Administrative Procedure Act and they will be submitted to public scrutiny prior to formal adoption by the council, that might clarify that to some extent.”

Senator Mardesich: “I would understand that but I would assume the mere striking of the word ‘heretofore’ would clarify it certainly unless there would be some objection to that. I do not know. It could be impossible as it now exists.”

Senator McCormack: “There is a council now operating. Of course, it is not exactly as defined in this bill. They have been operating under executive order and this is what this is referring to. I do not think there is anything wrong with striking ‘heretofore’ out. On the other hand, I do not think there is anything wrong with leaving it in either, Senator Mardesich. You could go either way. It does not make any difference.”

Senator Mardesich: “It does not make any sense with it in there is all.”

Senator McCormack: “Since the thermal power plant evaluation council is not capitalized and it is in existence under executive order, I think that the context is complete. However, if you wish to take it out, I do not have any serious objections to that.”

Debate ensued.

POINT OF INQUIRY

Senator Canfield: “Will Senator Mardesich yield? It may be that Senator Mardesich has a point, however, over some time the evaluation council under the chairmanship of Professor McCarthy of the University of Washington has acted as a site evaluation council. They have drawn up guidelines and I think this refers to that.”

Senator Mardesich: “I would like to point out to Senator Canfield that on page two I think it refers to the council in the last line. On that page it refers to this bill for the first time there and then it defines what the council is elsewhere. ‘Does hereby create and establish a thermal power plant site evaluation council as defined in the law.’ It could not be referring to another advisory group by definition of the bill itself.”

The motion carried and the amendment to the committee amendment was adopted.

Senator Durkan moved adoption of the following amendment to the committee amendment:

On page 3, section 2, line 9, strike “or a special assistant attorney general”

Debate ensued.

President Pro Tempore Henry assumed the Chair.

POINTS OF INQUIRY

Senator Lewis (Brian): “Will Senator Gissberg yield? Senator, as one of the forty-nine environmentalists serving in this state Senate protecting the environment of the state of Washington, as chairman of the Senate Judiciary Committee, could you tell me as one who is not an attorney when a person is appointed a special assistant attorney general, does that appointment mean that in respect that person is becoming a temporary officer of the state of Washington or a temporary officer of the attorney general’s office? Does he have to take any particular oath or declaration that he makes when he takes on this assignment that might be similar to one that a person might take if he is a full-time assistant attorney general so that in fact a special assistant attorney general maybe is the same as an assistant attorney general? It is just that he is being paid differently but his oath of obligation shall we say, is

just the same. In other words, the idea that he being separated as far as representing the people is concerned, is that real or is it imaginary?"

Senator Gissberg: "I get two things out of your question. One, does he take an oath and secondly, is he different than a regular assistant attorney general? I do not know specifically. I have never researched it but I do not know of any general statute that is left on the books which requires him to take an oath. As I recall, our supreme court threw that oath-taking matter out some years ago.

"I do not know whether the legislature has ever tried to wrestle with the problem of reenacting a constitutional one or not but it is my recollection that there is no statute that now requires an employee or an independent contractor of the state to take an oath.

"With respect to your second question, the difference between an assistant attorney general and a special assistant attorney general is, I believe, that an assistant attorney general is an employee of the state of Washington. The state, of course, is the employer as distinguished from a special assistant attorney general, who, I believe, enters into a contract. He enjoys the status of an independent contractor with the state of Washington, as I understand it, although I could be dead wrong in this instance.

"I do not know whether or not that is the complete distinction but I would assume that it is but if it is, if he is an independent contractor as such, that has certain incidence to it. He is not an employee. He would not necessarily be under the direct supervision and control of the attorney general as to his actions that he took if I am correct that he is not an employee of the attorney general.

"In other words the attorney general enters into a contractual understanding with this special assistant, gives him the broad outline of the job that he is to accomplish and then turns him loose without direct supervision and control as to the result of his work. What I have just indicated to you is roughly the difference in the law between an employer-employee relationship and the relationship of the independent contractor. I am sure my co-counsel will concur with that statement and I really think that the only difference would be as to the amount of the pay. I would think that the amount of the pay of the special assistant attorney general would be considerably higher than that afforded to a regular employee."

Senator Lewis (Brian): "If I may, Mr. President, put through one further question on your reply, Senator Gissberg. Are there certain powers that an attorney general through his assistants enjoys? In other words maybe powers of subpoena or things like that are transferred to a special assistant or can they only be exercised by going back to the fountainhead, namely the attorney general himself? In other words is a power to operate the same for a special assistant as for a regular assistant?"

Senator Gissberg: "I am not certain that the attorney general has the power of subpoena in any event. He has very limited power of subpoena. We have been trying to expand it somewhat in the field of consumer protection during this session of the legislature but he has absolutely no criminal jurisdiction whatsoever, for instance, subpoena power in investigating crimes and so on. I would say, no, that there is no distinction in that field because he lacks very much subpoena power now except in the field of consumer protection, which we are trying to give him."

MOTION

Senator Durkan moved that his proposed amendment to the committee amendment be withdrawn.

PARLIAMENTARY INQUIRY

Senator Lewis (Harry): "Mr. President, would you rule on Senator Durkan's request to withdraw his amendment in light of the fact that I object. Is the amendment withdrawn?"

REPLY BY THE PRESIDENT

The President: "Not as yet, Senator Lewis."

POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator McCormack yield? Senator McCormack, as I have previously indicated, this has been a negotiated measure and a compromising measure; and I would direct this question to you. Is this particular language that is contained on line nine, page three, was that in any way a part of the negotiated portion of this act?"

Senator McCormack: "Senator Peterson, this was one of the key requests of the environmentalists who came and testified. We never got into an intense debate on this question that is on the floor. The request was that the attorney general be given the permission in the bill to appoint a special attorney general as well as or in alternate to one of the regular assistant attorneys general, so I would say this was part of the framework of our

understanding. It was never sharply defined; but since it was so clearly accepted by everybody as part of the concept, it did not come up for very intense debate."

Debate ensued.

POINTS OF ORDER

Senator Peterson (Lowell): "I do not think Senator Mardesich is speaking to the issue at hand. We are not here on an attorney general witch-hunt today. We are here in an attempt in the final moments of this legislature to pass some legislation entirely needed by the state of Washington. I would hope that this body would refrain from getting into a partisan dispute over something that does not pertain to the issue."

Senator Gissberg: "My point of order is that once it is there it cannot be withdrawn. He simply said that if there be no objection and I think the rule provides that an amendment once read and a motion made to adopt it becomes the property of the Senate and cannot be withdrawn at that point. You should proceed directly. I am sure that is the rule. Senator Greive could probably quote it much better than I but I am sure that is the substance of what the law is. At this point you have to vote on the amendment since Senator Lewis has objected to its withdrawal."

The motion by Senator Durkan lost and the amendment to the committee amendment was not adopted.

On motion of Senator Mardesich, the following amendment to the committee amendment was adopted:

On page 6, line 2, strike "a new" and insert "any such"

Senator Mardesich moved adoption of the following amendment to the committee amendment:

On page 7, line 6, strike "a formal party" and insert "a party in a formal action"

POINTS OF INQUIRY

Senator Gissberg: "Will Senator McCormack yield? Senator McCormack, my inquiry has to do with following up the question of the site being in compliance with the county or regional land use plan or zoning ordinances. Let us assume that the proposed site is not consistent with the county land use plan. Under those circumstances then, is the council divested of authority to recommend that site as the site of the thermal power plant?"

Senator McCormack: "Definitely yes."

Senator Gissberg: "It nowhere says that in the bill but that is the intention. Is that correct?"

Senator McCormack: "Yes, that is certainly the intention. I think it is implied in the first sentence, Senator Gissberg."

Debate ensued.

POINT OF INQUIRY

Senator Mardesich: "Will Senator McCormack yield? On the same line a question occurred to me. Well and good if the council decides that this did conform but what if some private citizen questions whether the land is properly zoned? There is actual zoning to accommodate this. In what situation are you then? You cannot preclude that individual certainly from . . ."

Senator McCormack: "There is nothing in this act that precludes any individual or even any political subdivision of the state from going to court to restrain the council from action. Any individual can take legal action against the council at any time."

The motion carried and the amendment was adopted.

Senator Durkan moved adoption of the following amendment to the committee amendment:

On page 6, section 7, line 20, after "study" insert "including a reasonable attorney general counsel fee"

Debate ensued.

POINTS OF INQUIRY

Senator Washington: "Will Senator Durkan yield? It seems to me that ordinarily in situations such as this the word 'reasonable' fee is included rather than just whatever the fee might be."

Senator Durkan: "Yes, I would accept that."

Senator Washington: "'including a reasonable attorney general counsel fee.'"

Senator Durkan: "Okay."

Senator Pritchard: "Will Senator Durkan yield? I would feel uncomfortable if I had the, to put it plainly, utility paying the environmentalist's lawyer. Somewhere in that kind of a situation I would feel uncomfortable. Either one of the parties is; I am not sure which, but it does not seem right to me. I am not wildly opposed to this but it just seems to be inherently wrong."

Senator Durkan: "The simple fact of the matter is that if we had just an assistant attorney general and paying him a salary, your position is right but what you are asking the state to do is to pick up the tab, which is going to be a considerable sum. Make no mistake about it because what we are going to find is we are going to search the United States over and find one special assistant attorney general who is a nuclear siting specialist. His fees are going to be commensurate with the title, and so what we are saying is then that the state is going to pay the fee to this special assistant attorney general. All I am saying is that I see nothing wrong with the applicant. He is willing to pay for the study up to twenty-five thousand dollars. They have to have his permission to pay for any more than that. Why should not all the costs be involved? Why should not they be required to pay for the legal fees which the state is going to have to expend in relation to this study? Is that any more irrational than having them pay for the nuclear siting that some engineer is going to make? I mean we are going to go out and get an engineer who is going to support the position of the state obviously because this is what the council is going to do. What we are saying is that anybody that we hire other than an attorney is not going to be hired by the council. What you are saying is that an attorney must be in a little different position because he is an advocate of the public interest and that he will not be, I guess, bipartisan or nonpartisan in his approach. This may be so; and it may be a valid argument, but I just think that when you get into this thing that the costs involved in protecting the environment should be just as much maintained by the applicant as it should by the state. Why should the state be required to pick up the considerable attorney fees in a study? To me it is a reasonable argument that the attorney's fees should be as much of the study as an engineer's report."

The motion lost and the amendment was not adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 8, section 10, line 3, after "final" insert "and no further application as to the same site may be submitted prior to the expiration of five years following the date of the denial"

Senator McCormack moved adoption of the following amendment:

On page 9, section 14, line 9, after "review" insert "pursuant to the provisions of chapter 34.04 RCW"

POINTS OF INQUIRY

Senator Ridder: "Will Senator McCormack yield? In section nine it speaks here 'The council shall conduct a public hearing in the county of the proposed site within sixty days.' Is this covered in the Administrative Procedure Act that sufficient notice of this hearing will be given?"

Senator McCormack: "Yes, Senator Ridder, the Administrative Procedure Act carries with it a provision for notice of public hearings."

Senator Lewis (Harry): "Senator McCormack, I note in new section 6, page 5, lines 30 to line 4 on page 6, that this act will apply only to new facilities placed in construction after the effective date of this act, and further I note that the definition of the term "construction" under Section 2, Subsection (12) on page 3, line 11, such condition is also dependent on the amount of funds which have been expended for on-site construction. It is my understanding that this wording clearly exempts the present large thermal plant near Centralia and which is now well under construction and which could be irreparably jeopardized if it is not allowed to proceed under present statutes. Is this correct?"

Senator McCormack: "Yes, Senator Lewis, that is correct. There is no intent in this act that any thermal power plant now in the construction stage and where more than \$250,000 has been spent on on-site work would be affected or come under the requirement of certification provided by this act."

Senator Durkan: "I would be remiss in my duties as chairman of the Ways and Means Committee if I did not tell the members that the possible cost of this little measure that we are passing today is five hundred seventy-five thousand dollars over a five-year period. This could be absorbed in the event that we pass Senate Bill No. 1 or some concept which will permit those existing agencies to use the personnel which they now have."

The motion carried and the amendment to the committee amendment was adopted.

The motion by Senator Peterson (Lowell) carried and the committee amendment, as amended, was adopted.

On motion of Senator Peterson (Lowell), the committee amendment to the title was adopted.

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed Senate

Bill No. 49 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 49, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian); Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED SENATE 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

At 4:25 p.m., on motion of Senator Greive, the Senate recessed until 7:05 p.m.

EVENING SESSION

The President called the Senate to order at 7:05 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 8:00 p.m.

SECOND READING

SENATE BILL NO. 144, by Senators Durkan, Donohue and Stender:

Changing amount of college property exempted from taxation from one hundred to four hundred acres.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 144, changing amount of college property exempted from taxation from one hundred to four hundred acres (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13, after "purposes" and before "or" on line 14 strike ", including housing for students, staff members and other employees,"

On page 1, line 17, after "for" strike "school,"

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Connor, Donohue, Dore, Faulk, Foley, McCormack, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Washington, Williams.

The bill was read the second time by sections.

On motion of Senator Canfield, the first committee amendment was adopted.

On motion of Senator Dore, the second committee amendment was adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 144 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 144, and the bill passed the Senate by the following vote: Yeas, 37; nays, 2; absent or not voting, 10.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Washington, Wilson, Woodall—37.

Voting nay: Senators Twigg, Walgren—2.

Absent or not voting: Senators Bailey, Day, Durkan, Greive, Guess, Keefe, Lewis (Brian), McCutcheon, Pritchard, Williams—10.

ENGROSSED SENATE 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.

SENATE BILL NO. 277, by Senators Walgren and Twigg:

Regulating mobile homes, commercial coaches and/or recreational units.

REPORT OF STANDING COMMITTEE

January 27, 1970.

SENATE BILL NO. 277, regulating mobile homes, commercial coaches and/or recreational units (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 23, after "vehicles" and before the period insert "*PROVIDED, That the director shall not prescribe or enforce rules and regulations governing the body and frame design of recreational vehicles until after the American National Standards Institute shall have published standards and specifications upon this subject*"

Signed by: Senators Stortini, Chairman; Bailey, Connor, Faulk, Matson, Metcalf, Ridder.

The bill was read the second time by sections.

Senator Stortini moved adoption of the committee amendment.

POINTS OF INQUIRY

Senator Peterson (Ted): "Will Senator Stortini yield? By 'recreational' now do you mean the trailers that are drawn and are on the highway, or just how do you describe a recreational trailer?"

Senator Stortini: "Yes, the recreational trailers are those that travel on the highway."

Senator Lewis (Harry): "Will Senator Stortini yield? Senator Stortini, briefly what are the American National Standards?"

Senator Stortini: "They are model codes that each state follows and at the present time if this bill does pass, they will publish for commercial purposes or commercial coaches these model codes. They will be sent to the state of Washington. At the present time the state of Washington will follow the program that it set up under recreational vehicles but this is a department that is set under Romney's department, I believe."

Senator Woodall: "Will Senator Stortini yield? Senator Stortini, I notice in this bill we have a kind of a grandfather clause which says that a vehicle which has been used for some six months prior hereto will be exempt from this code.

"A year ago Senator Matson and I tried to get a law through that said some house which had been built to have some people live in prior to a certain date would be exempt from it and people argued that was bad law, that you ought to bring them all up-to-date all at once. Now I am wondering on what premise do we exempt one of these vehicles that you are letting them off with some of the 1968 standards when it was argued that you should not let a house off which met the 1968 standards. I wondered what is the difference. If the motor coach is bad, if it is not up to '68 standards, why do you give them a break when they did not want to give a break to a house that had been built before that time?"

Senator Stortini: "I think, Senator Woodall, that you are talking about a completely different case here."

Senator Woodall: "Yes, I am talking about a different bill. I am talking about one is a motor coach that someone lives in; a recreational vehicle, you say you are going to exempt it from the law if it was built back in 1968. They did not want to exempt a house that was built prior to 1968, and I wondering what the logic is that either a vehicle is safe or it is not safe. It is good, or it is bad. Now why do we grant an exemption to motor vehicles or recreational vehicles when you would not grant one to a house?"

Senator Stortini: "Senator, I am speaking just in reference to this bill. When I look at the date January 1 of 1968, this date is used because this was the original enactment of this act. I do not have an answer to your specific case though."

The motion carried and the committee amendment was adopted.

On motion of Senator Stortini, the following amendment was adopted:

On page 6, line 14, add a new section as follows:

"NEW SECTION. Sec. 10. This act shall not apply to common carrier equipment."

POINT OF INQUIRY

Senator Walgren: "Will Senator Stortini yield? I wonder, Senator Stortini, if you could answer what Senator Twigg and I intended when we said 'commercial vehicles' in this bill."

Senator Stortini: "The commercial vehicles that the bill talks about a number of times applies to those that are used basically for office purposes such as bookmobiles, X-ray vehicles, bloodmobile, and this type of thing."

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 277 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Woodall: "Will Senator Walgren yield? Do I understand this amendment to mean that these rules will be consistent with the national rules, or are we empowering the director of labor and industries to make rules which go above and beyond those prescribed by the American National Standards Institute? In other words what I am getting at is this; can a man be legal in Oregon and Idaho and then when he crosses the line suddenly find that in this state we have rules which are at variant with certain national standards? How do you so construe this?"

Senator Walgren: "I would like to confer, of course, with my co-sponsor on this bill, Senator Twigg, but not having that opportunity to do so, it would be my belief that the department of labor and industries would have the power to set such standards as they may desire. I would think, however, that in the promulgation of these particular standards that they would be very much inclined to follow such a national code that might be in existence."

Senator Canfield: "Will Senator Stortini yield? Senator, I am referring now to the amendment which sets up this American National Standards idea. I think that is a very acceptable idea, but wouldn't it be better if you would say in the bill that our standards shall conform to the American Standards? This does not mean a thing the way it is written as far as standards are concerned. It just says we cannot adopt any until after they have done something but it appears to me that if we would make our standards in compliance with theirs then we would eliminate the thing that Senator Woodall spoke of a few moments ago."

Senator Stortini: "In answer to that, Senator, at the present time the state of Washington is complying to the mobile home standards. Until the institute publishes the set of standards, the recreational vehicles will follow those mobile home standards then."

Senator Canfield: "When these new standards are published, will then our standards be the same?"

Senator Stortini: "Yes, these standards are model codes throughout the United States. I am sure that they probably will be basically the same, Senator."

Senator Canfield: "I hoped you would mean that but the amendment does not say that. If you would make our standards in compliance with that standard when it is published, then I would have no objection."

Senator Stortini: "I believe when we look at the amendment, that is the intent, Senator."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 277, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—46.

Voting nay: Senator Woodall—1.

Absent or not voting: Senators Durkan, McCutcheon—2.

ENGROSSED SENATE BILL NO. 277, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:35 p.m., on motion of Senator Bailey, the Senate recessed until 9:00 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 9:00 p.m.

SECOND READING

SENATE BILL NO. 267, by Senators Guess and Cooney:

Regulating public or private nonprofit schools which dismantle or substantially change the form of any motor vehicles.

The bill was read the second time by sections.

On motion of Senator Guess, the rules were suspended, Senate Bill No. 267 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 267, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—47.

Absent or not voting: Senators McCutcheon, Williams—2.

SENATE 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.

SENATE BILL NO. 7, by Senators McCormack and Washington:
Deferring retired persons' property taxes.

REPORT OF STANDING COMMITTEE

January 28, 1970.

SENATE BILL NO. 7, deferring retired persons' property taxes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 1 after the enacting clause strike the remainder of the bill and insert the following:

NEW SECTION. Section 1. Savings once deemed adequate for retirement living have been rendered grossly inadequate by increased tax rates, inflated property values, and by the failure of federal old age survivors insurance and similar types of pension systems to adequately reflect such factors. It is therefore deemed necessary that the legislature, in addition to that tax exemption as provided for in RCW 84.36.125 through 84.36.129, allow retired persons to defer their remaining real property tax obligations on their residences up to the amount of their equity in said property. This deferral program is intended to assist retired persons in maintaining their dignity and a reasonable standard of living by residing in their own homes, providing for their own needs, and managing their own affairs without requiring assistance from public welfare programs.

NEW SECTION. Sec. 2. Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this act shall have the following meanings:

(1) 'Claimant' means a retired person who elects to defer payment of the real property taxes accrued on his residence by filing a declaration to defer as provided by this act.

When two individuals of a household file or seek to file a declaration to defer, they may determine between them as to who the claimant shall be.

(2) 'Department' means the state department of revenue.

(3) 'Equity value' means the amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total of any amount still owned by a taxpayer on the purchase price thereof plus any liens or other obligations against the property.

(4) 'Household' means a claimant and his or her spouse.

(5) 'Owned' includes possession under a contract of sale, deed of trust, or tenancy in common.

(6) 'Real property taxes' means ad valorem property taxes (exclusive of special assessments, delinquent interest, and special service charges) levied on a residence in this state in the preceding calendar year. If a residence is an integral part of a larger unit such as a farm, or a multi-purpose or multi-dwelling building, real property taxes shall be that percentage of the total property taxes accrued as the value of the residence is of the total value. For purposes of this paragraph 'unit' refers to the parcel of property covered by a single tax statement of which the residence is a part.

(7) 'Preceding calendar year' shall mean the calendar year preceding the year in which the application for deferral of tax payment is made.

(8) The term 'residence' shall mean a single family dwelling, including the lot on which the dwelling stands, a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built, and a mobile home, if it is subject to property taxation. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090, or 84.40.250, such a residence shall be deemed real property.

(9) 'Retired person' means a male of sixty-five years of age or older or a female sixty-two years of age or older who has not received during the preceding calendar year any earnings of the type and amount which would cause any deduction from social security benefits for a recipient of such benefits pursuant to 42 U.S.C. 403. Any person totally disabled and as such retired under a public or private retirement plan shall be considered retired for the purposes of this act.

NEW SECTION. Sec. 3. A retired person may elect to defer payment of real property taxes on his residence up to eighty percent of the amount of his equity value in said property if the following conditions are met: (1) The property taxes must have been imposed upon a residence which has been occupied by the person electing to defer for at least one hundred and eighty days of the preceding calendar year.

(2) The claimant must own, at the time of the election, whether in fee, by contract purchase, or by deed of trust, an equity value in the residence on which the property taxes have been imposed. For purposes of this subsection, ownership in a residence by a marital community, either in the form of community property or joint tenancy, shall be deemed to be owned by each spouse.

(3) If the claimant is a male, he must have been sixty-five years of age or older on February 15th of the year in which the election to defer is made, or must have been, at the time of the election, totally disabled and as such retired under a public or private retirement plan.

(4) If the claimant is a female, she must have been sixty-two years of age or older on February 15th of the year in which the election to defer is made, or must have been at the time of the election, totally disabled and as such retired under a public or private retirement plan.

(5) The claimant and/or his or her spouse must not have received income during the preceding calendar year, from any source whatsoever, which exceeds five thousand dollars.

(6) The property for which the deferral is claimed, or the residential portion of multi-purpose property for which the deferral is claimed, must not be income-producing property.

(7) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value.

NEW SECTION. Sec. 4. (1) Each taxpayer electing to defer his real property tax obligation under this act shall file with the county assessor, on forms prescribed by the department of revenue and supplied by the assessor, a written declaration thereof in duplicate on or before April 1st, of the year prior to the first year in which the deferral is to be made, except that when the property designated is acquired after March 20th and before July 1st, the claim for that first year shall be filed within ten days after the date of acquisition. If the declaration to defer for any year is not filed within the time specified, the deferral shall not be allowed on the assessment roll for that year.

(2) The declaration shall designate the property to which the deferral may apply, and shall include a statement setting forth (a) a list of all members of the taxpayer's household, (b) the taxpayer's equity value in his residence, (c) facts establishing the eligibility for the deferral under the provisions of this act, and (d) any other relevant information. Each copy shall be signed by the taxpayer subject to the penalties as provided in chapter 9.72 RCW for the false swearing. The first declaration to defer filed in a county shall include proof of the taxpayer's age acceptable to the assessor.

(3) The county assessor shall determine if each claimant shall be granted a deferral for each year but the claimant shall have the right to appeal this determination to the department of revenue whose decision shall be final as to the deferral of that year.

NEW SECTION. Sec. 5. (1) Declarations to defer property taxes for all years following the first year may be made by filing with the county assessor on or before April 1st a renewal form in duplicate, prescribed by the department of revenue and supplied by the county assessor, which affirms the continued eligibility of the claimant.

(2) On or before March 1st of each year, the county assessor shall send to each taxpayer who has been granted deferral of ad valorem taxes for the previous year at the address of the deferred residence renewal forms in duplicate and notice to renew substantially in the following form:

To: (name of taxpayer)

If you want to defer the collection of ad valorem property taxes on your residence for the assessment year beginning on, you must file the enclosed renewal form in duplicate not later than April 1st, with the county assessor.

If you fail to file your renewal form on or before April 1st, you will have to pay ad valorem property taxes on your residence for the current assessment year.

NEW SECTION. Sec. 6. If the taxpayer is unable to make his own declaration of deferral, it may be made by a duly authorized agent or by a guardian or other person charged with care of the person or property of such taxpayer.

NEW SECTION. Sec. 7. If the taxpayer declaring his intention to defer his real property tax obligation under this act ceases to reside permanently on the property for which the declaration to defer is made between the date of filing the declaration and the date on which the assessment roll of any year becomes the tax roll, the deferral otherwise allowable under this act shall not be allowed on such tax roll. However, this section shall not apply where the taxpayer dies, leaving a spouse surviving, who is also eligible for deferral of property taxes.

NEW SECTION. Sec. 8. A person's right to defer property tax obligations on his residence shall not be reduced by contract or agreement, from the effective date of this act onward.

NEW SECTION. Sec. 9. If any residence is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, said holder shall co-sign the declaration of deferral either before a notary public or the county assessor or his deputy in the county where the real property is located.

NEW SECTION. Sec. 10. Whenever a person's tax obligation is deferred under the provisions of this act, it shall become a lien upon his equity value in said property and shall have priority as provided in chapter 84.60 RCW: PROVIDED, That the interest of a mortgage or purchase contract holder who is required to co-sign a declaration of deferral under section 9, shall have priority to said deferred tax lien. This lien may accumulate up to eighty percent of the amount of the taxpayer's equity value in said property and shall be interest free until said obligation becomes due and payable under section 14 of this act.

NEW SECTION. Sec. 11. The county assessor shall:

(1) Transmit one duplicate of each declaration to defer to the state department of revenue. The department may audit any or all declarations and shall, not later than August 31st, notify the assessor of any claim where any factor appears to disqualify the taxpayer for the deferral sought.

(2) After October 15th, compute the millage rate for the county as if any deferrals provided by this act did not exist.

(3) On or before December 15th, notify the state department of revenue and the county treasurer of the total amount of deferred taxes for that year.

NEW SECTION. Sec. 12. Upon receipt of the notification from the county assessor of the amount of deferred taxes on tax-deferred property the state revenue department shall, on July 1 or the first business day thereafter pay to the respective county treasurers an amount equivalent to the amount of taxes deferred by the assessor.

NEW SECTION. Sec. 13. Real property tax obligations deferred under this act shall become payable:

(1) Upon the sale of property which has a deferred tax lien upon it from the purchase price at the time that the real estate excise tax is paid.

(2) Upon the death of the taxpayer with an outstanding deferred tax lien from the value of his estate, except a surviving spouse who is qualified under this act may elect to incur the tax lien which shall then be payable by that spouse as provided in this section.

(3) Upon the condemnation of property with a deferred tax lien upon it by a public or private body exercising eminent domain power, from the condemnation award, except as otherwise provided in RCW 84.60.070: AND PROVIDED, That a taxpayer shall be allowed to continue the tax deferral by reinvesting the sale proceeds in another residence within six months of the condemnation award.

NEW SECTION. Sec. 14. (1) When any deferred taxes are collected the moneys shall be credited to a special account in the county treasury. The county treasurer shall remit the amount of deferred taxes to the state treasurer, with a remittance advice to the department.

(2) The state treasurer shall deposit the deferred taxes in the state general fund.

NEW SECTION. Sec. 15. (1) At the time that the property is decided over to the county at the conclusion of the foreclosure proceedings pursuant to chapter 84.64 RCW the county legislative body shall order the county treasurer to pay from the general fund of a

county the amount of deferred taxes which were not collected to the state treasurer in the same manner as other taxes from deferred properties are paid over to the state treasurer when collected.

(2) Immediately upon payment, the county treasurer shall make the necessary correcting entries in the records of his office and each taxing district or tax levying body shall reimburse the general fund in the amount of deferred taxes paid to the state treasurer which had previously been received by it.

NEW SECTION. Sec. 16. (1) A surviving spouse of the taxpayer may elect to continue the property in its deferred tax status if:

(a) The spouse of the taxpayer is or will be sixty years of age or older not later than six months from the day of the taxpayer's death; and

(b) The property is the residence of the spouse of the taxpayer and meets the requirement of this act.

(2) The election under this section to continue the property in its deferred tax status by the spouse of the taxpayer shall be filed in the same manner as an original claim for deferral is filed under this act, not later than ninety days from the date of the taxpayer's death. Thereupon, the property with respect to which the deferral is claimed shall continue to be treated as tax-deferred property and the county assessor and county treasurer shall cancel all actions taken under chapter 84.64 RCW and shall make any necessary correcting entries on the tax rolls and in their records. When the property has been continued in its deferred tax status by the filing of the spouse of the taxpayer of an election under this section, the spouse of the taxpayer (even if such spouse is less than sixty-five years of age) may continue the property in its deferred tax status in subsequent years by filing a claim under this act so long as the spouse meets the qualifications set out in this section.

NEW SECTION. Sec. 17. Any person may at any time pay a part or all of the deferred taxes but such payment shall not affect the deferred tax status of the property. Unless otherwise provided by law, such payment does not give the person paying the taxes any interest in the property or any claim against the estate, in the absence of a valid agreement to the contrary.

NEW SECTION. Sec. 18. Nothing in this act is intended to or shall be construed to:

(1) Prevent the collection, by foreclosure, of personal property taxes which become a lien against tax-deferred property.

(2) Defer payment of special assessments to benefited property.

NEW SECTION. Sec. 19. The department of revenue of the state of Washington shall devise the forms and make rules and regulations consistent with the provisions of this act as shall be necessary or desirable to permit its effective administration.

NEW SECTION. Sec. 20. There is added to Title 84 RCW a new chapter to consist of section 1 through 19, 21 and 22 of this act.

NEW SECTION. Sec. 21. 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. 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.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Connor, Donohue, Dore, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Stortini, Walgren, Washington.

The bill was read the second time by sections.

Senator McCormack moved adoption of the committee amendment.

Senator Elicker moved adoption of the following amendment to the committee amendment:

On page 6, section 10, line 6, strike entire section 10 and renumber the following sections.

Debate ensued.

Senator Andersen demanded a roll call and the demand was sustained by Senators Metcalf, McDougall, Ryder, Atwood, Marquardt, Lewis (Harry), Newschwander, Guess and Twigg.

ROLL CALL

The Secretary called the roll and the amendment to the committee amendment was adopted by the following vote: Yeas, 25; nays, 23; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Cooney, Elicker, Faulk, Gissberg, Guess, Henry, Holman, Huntley, Keefe, Lewis (Brian), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Stender, Twigg, Woodall—25.

Voting nay: Senators Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Foley,

Francis, Greive, Herr, Knoblauch, Lewis (Harry), McCormack, Odegaard, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Williams, Wilson—23.

Absent or not voting: Senator McCutcheon—1.

MOTION FOR RECONSIDERATION

Senator Metcalf moved that the Senate immediately reconsider the vote by which the amendment by Senator Elicker to the committee amendment was adopted.

Senator Metcalf demanded a roll call and the demand was sustained by Senators Washington, Canfield, Henry, Pritchard, Stortini, Francis, Cooney, Donohue and Day.

ROLL CALL ON RECONSIDERATION

The Secretary called the roll and the motion carried by the following vote: Yeas, 29; nays, 18; absent or not voting, 2.

Voting yea: Senators Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, McCormack, Metcalf, Odegaard, Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—29.

Voting nay: Senators Andersen, Atwood, Cooney, Foley, Gissberg, Guess, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Ryder, Twigg, Woodall—18.

Absent or not voting: Senators McCutcheon, Williams—2.

MOTION

Senator McCormack moved that the amendment by Senator Elicker to the committee amendment be laid upon the table.

Senator Andersen demanded a roll call and the demand was sustained by Senators Guess, McDougall, Elicker, Lewis (Harry), Woodall, Metcalf, Atwood, Faulk.

ROLL CALL

The Secretary called the roll. The motion carried and the amendment was laid upon the table by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Metcalf, Odegaard, Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—29.

Voting nay: Senators Andersen, Atwood, Elicker, Gissberg, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Newschwander, Peterson (Lowell), Peterson (Ted), Ryder, Twigg, Williams, Woodall—20.

The motion by Senator McCormack carried and the committee amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 7 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Atwood: "Will Senator McCormack yield? . . . They are cleared through the inheritance tax without probate. What are the provisions of this bill?"

Senator McCormack: "There is a lien against the property created by this act and by the act of deferral of the taxes. Ultimately, it has to come to the state."

Senator Atwood: "Well, but it is deferred for a great number of years especially where there has been a gift. There has been no transfer through probate, and many of these homes are around seven or eight thousand dollars. That concerned me. I looked all through this bill for those cases, and I handle many of them where there is no probate in these matters at all.

It is all handled through a community property agreement, and all you do is clear it with the inheritance tax."

Senator McCormack: "If you have community property, obviously the property is going to be terminated with the death of the second member of the couple."

Senator Atwood: "Not necessarily, Senator, because most of these old folks just give the deed to their son or daughter."

Senator McCormack: "But you still have a lien against the property, Senator."

Senator Atwood: "Right, and that lien stays there for maybe fifty years. The state never realizes on any of it."

Senator McCormack: "All right, my counsel advises me that what you are citing is an extremely rare case, Senator."

Senator Wilson: "Will Senator McCormack yield? Senator, this is a relatively minor point and nonetheless one of concern. We are once again heaping a little bit more work on county government, on the assessor's office or somebody and I would like to ask if any provision is being made for local government to cope with that expense."

Senator McCormack: "In the first place we have correspondence now from the county elected officials, from assessors, from the county commissioners, and from the organization of county elected officials which say that they have no objection to the bill the way it is. They recognize there will be a little extra work for the assessors but they do not expect it to be anything like the amount of work that they are handling now with the fifty dollar exemption. I would like to say this that the revenue and taxation committee has passed a motion that we will request on this floor a study by the legislative budget committee of the effect on the county governments of the various tax deferral programs and tax deduction program for senior citizens with a report back to this legislature next year."

Debate ensued.

Senator Woodall: "Will Senator Pritchard yield? Senator Pritchard, I noted in your last remark you said this would probably be your last session. Are you thinking of what the electorate might do to you, or is this the opening declaration of some other office you are aspiring to?"

Senator Pritchard: "No, Senator, I am just like all the rest of us. We never know whether we will be back."

Senators Keefe, Cooney and McCormack demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 7, and the bill passed the Senate by the following vote: Yeas, 37; nays, 11; absent or not voting, 1.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—37.

Voting nay: Senators Andersen, Atwood, Gissberg, Guess, Huntley, Lewis (Brian), Matson, Newschwander, Ryder, Twigg, Williams—11.

Absent or not voting: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 7, having received the 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 Senator Ryder, the Senate immediately resumed consideration of Substitute Senate Bill No. 133.

SUBSTITUTE SENATE BILL NO. 133, by Committee on Commerce and Regulatory Agencies:

Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.

The Senate resumed consideration of Substitute Senate Bill No. 133 on second reading and the following pending amendment by Senator Gissberg:

On page 8, section 9, beginning on line 3, strike all the matter down through line 8.

Debate ensued.

The motion carried and the amendment was adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed Substitute Senate Bill No. 133 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Peterson (Ted): "Will Senator Mardesich yield? Earlier in the day, Senator Mardesich, I mentioned these people who had these large losses. That is, they were at least large for them. I just wanted to ask you a couple questions that I thought were pertinent. I am sure you are aware of what the total aggregate of life insurance could be over a short period of time and I wondered how long it would take before this fund would be actuarially sound so that it could pay off. There is no initial fee as we have it. You are just assessing the two percent, and it seems to me that you would not have time enough to build up these monies. All these other companies would have to come in and pick up like Lloyd's of London would on a ship, and it could be disastrous. What are you talking about in dollars and cents put aside?"

Senator Mardesich: "Actually this guaranty fund as established is a post-assessment fund, a post-loss fund. There is no fund built up to take care of such losses. The assessment comes after a loss is determined. When it is determined that there is an insolvent company, then the assets of that company are taken over by this new corporation. When the amount of the dollar loss of money has been determined which is necessary to take care of any policyholder who had sustained a loss, then an amount is assessed pro rata against all other companies doing life insurance business in the state. The figure depends entirely upon how great the loss is and, of course, the assets of the insolvent company are assumed and disposed of in an attempt to recoup for those companies the amounts they have had to pay out to pick up the loss immediately. There are two types of fund, a prior assessment, one which every year there is an assessment made against the companies and a fund is built up. New York has such a fund and the argument against it, of course, is that here they have built up a large fund over the years. They have not had any appreciable amount of losses, and now all that money sits there tied up. The argument on this one is why pay these things until a loss is incurred. Why have this fund built up? Why assess this against the companies who in turn would pass it on to policyholders in terms of higher premiums? Why do that until an actual payoff becomes necessary?"

Senator Lewis (Harry): "Will Senator Mardesich yield? Senator Mardesich, I wonder if you could tell me why this bill would not raise the cost of insurance for policyholders and, secondly, why it would not reduce the price of insurance stocks."

Senator Mardesich: "It would cause no loss to policyholders except insofar as the companies were unable to recover from the insolvent corporation an amount necessary to pay off the losses that had been incurred. This should not be too big of a loss because the insurance commissioner now has the power to investigate any company which is engaging in unsound practices. He now has that authority. He not only has the authority; it is mandated by the law that he do that type of checking. This type of a corporation would make other companies who are aware of situations where some insurance company is not acting prudently report to the insurance commissioner that a company is not acting prudently and they should be checked because it can mean a loss to those other companies. Since there is not too much that can be hidden in the insurance business, like any other business, then the warning flag will go up. The commissioner will move in and check the company out before the situation gets out of hand and hopefully before the potential loss becomes of any consequence."

Senator Lewis (Harry): "Mr. President, if I may continue briefly, I still do not see, Senator Mardesich, maybe you and the insurance commissioner can guarantee this, but it just seems to me that where an insurance company would have this implied obligation to pick up the share of expense that this cost has to come from somewhere and that the costs are raised primarily through the sale of insurance. So, if there is additional, they are going to have to charge more money for each insurance policy. The second part of my question is that the value of the stocks will decrease because there is more of a risk against them, I can see insurance costs rising and stock values of insurance companies dropping as a result of this legislation."

Senator Mardesich: "We could just turn that around and look at it the other way. It may cause the stock to go up. Why? Use the same argument. People will be inclined to become more accustomed to insurance being a safe thing. You know you are not going to lose now, and so you will be more inclined to buy insurance. It is the same argument you can use, and it will make the insurance cost a better thing because more people will be inclined to buy insurance. I am just reversing the argument."

Debate ensued.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Ryder yield? Senator Ryder, could the theory of this bill be compared to the Federal Deposit Insurance Act relating to banks?"

Senator Ryder: "Senator, no."

Senator Gissberg: "In what respect would it be different?"

Senator Ryder: "In the first place you have pre-loss assessments in the banks in which a fund is built up and has been built up for the last forty-five years through assessments of the Federal Deposit Insurance Company based on the deposits in the individual banks so that then when there is a loss or when a bank goes broke, the money is there to pay off the deposits. This bill, of course, is different. There would be an assessment after the loss."

Senator Gissberg: "Yes, I understand it is a post-assessment. Do the banks themselves pay the assessment in the FDIC?"

Senator Ryder: "Yes, that is correct."

Further debate ensued.

Senator Atwood: "Will Senator Mardesich yield? Senator Greive brought up a point that has been disturbing me about this bill. My question is this: Most of the companies that I have had any dealings with have been nonresident companies that go bankrupt in your policies. Now you are assessing all of the domestic companies but none of the foreign companies that are not qualified in this state. A lot of these policies are from companies that are not doing business in the state yet this bill applies to all people who are domiciled in this state. Is that correct?"

Senator Mardesich: "This bill would cover all domestic companies doing business in this state. It would cover all residents of this state. It would cover all foreign companies selling policies to people resident in this state."

Senator Atwood: "It does not cover those companies who have policies and are not doing business in this state or not qualified. These Texas companies — there are hundreds of them — are not qualified nor are they doing business, but these are the ones that go broke. We are socking our domestic carriers and all the other carriers in the state for these other companies that are not in this state and are not subject to our jurisdiction."

Senator Mardesich: "If they are selling insurance in this state. . . ."

Senator Atwood: "But they are not. These people buy them through the mail and things like that."

Senator Mardesich: "Senator Atwood, I am certain that we could not decide to cover every insurance company doing business within the whole United States and so where do you want to draw the line? I do not see how you can go beyond the situation where you are covering all domestic companies and all foreign companies doing business with any resident of this state, nor do I think we should be concerned with a person whose purchases are made out of state. It is designed to protect the residents of this state."

Senator Atwood: "My point is this: If the person is a resident and bought through the mail order house of a company, he is covered. He can get part of this money is the way I read this bill regardless of where the company is and whether it is qualified. The way I read this bill is that it covers all residents of this state, and that is one of the determining factors. Most of these policies of these companies that go defunct are not qualified and not doing business in this state, and not subject to the jurisdiction; so the domestic insurance companies are paying the freight for these bad policies and the bad insurance companies from other states that are not doing business in this state. That is what I object to about this."

Senator Mardesich: "Well, then it would seem to me the problem there is a redefinition in our insurance law of what constitutes doing business in this state. That problem is not involved here. That is a problem that exists and needs solution elsewhere. I am not so sure they do not have to be qualified. You are saying that. I am not so sure they do not have to be qualified if they are selling insurance in this state whether by mail or otherwise."

Senator Guess: "Will Senator Mardesich yield? Senator Mardesich, this has really gotten a little complicated now. If I understand Senator Atwood, there are insurance companies outside of the state of Washington that could go broke and would have sold policies in the state. All right, this is supposed to cover those people who are authorized to do business in this state. How are we going to get ahold of those assets in order that they will help to amortize what has been paid out in the company's behalf?"

Senator Mardesich: "The answer to that is the hammer which hangs over the head which says, 'You do not do business in this state.' Most insurance companies who desire to do business here will subject themselves to service. Otherwise they will be precluded from doing business in this state."

Senator Guess: "You mean that if they do business in the state of Washington they are going to have to sign a clause or contract that will guarantee if they go broke they will deliver their assets to the state of Washington?"

Senator Mardesich: "They only are required if they sell here to put up for those an amount of the pro rata part of the insurance they sell here, an amount equal to that to pay off any insolvencies. It would seem to me that if that company did go broke elsewhere they would have had to agree. . . ."

Senator Guess: "There is one other question too that might help here. Are the insurance companies going to go back after they have accorded me a rate and I have been paying it over a number of years and raise my rate in order to recapture this money they are going to have to pay in?"

Senator Mardesich: "No, but I would suggest that those losses which are sustained would affect subsequent rates."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 133, and the bill passed the Senate by the following vote: Yeas, 30; nays, 18; absent or not voting, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Durkan, Foley, Francis, Gissberg, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Metcalf, Odegaard, Peterson (Lowell), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—30.

Voting nay: Senators Andersen, Atwood, Canfield, Dore, Elicker, Faulk, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McDougall, Marquardt, Matson, Newschwander, Peterson (Ted), Pritchard, Williams—18.

Absent or not voting: Senator Woodall—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Greive, the Senate returned to the first order of business.

MESSAGE FROM THE HOUSE

January 31, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 8 with the following amendment:

On page 1, line 1 of the title immediately after the semicolon following "compensation" strike the balance of the title and the entire text of the bill substituting in lieu thereof the following: "amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 9, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.060; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; and declaring an emergency.

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

Section 1. Section 3, chapter 35, Laws of 1945 and RCW 50.04.020 are each amended to read as follows:

"Base year" [means the last calendar year preceding the first day of the benefit year] with respect to each individual, shall mean the first four of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year.

Sec. 2. Section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030 are each amended to read as follows:

"Benefit year" [means the period beginning with the first full calendar week in July and ending the following calendar year with the last calendar week beginning in June] with respect to each individual, means the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual files an application for an initial determination and thereafter the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual next files an application for an initial determination after the termination of his last preceding benefit year: PROVIDED, HOWEVER, That an individual's benefit year is not established unless the determination shows the applicant to have met the wage and employment conditions fixed by law as the minimum for the receipt of benefits: PROVIDED, FURTHER, That an individual's benefit year shall be extended to be fifty-three weeks when at the expiration of fifty-two weeks the establishment of a new benefit year would result in the use of a quarter of wages in the new base year that had been included in the individual's prior base year.

Sec. 3. Section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320 are each amended to read as follows:

For the purpose of payment of contributions, "wages" means the [first three thousand dollars of] remuneration paid by one employer during any calendar year to an individual in its employment under this title or the unemployment compensation law of any other state in the amount specified in section 8 of this 1970 amendatory act. [After December 31, 1950.] If an employer (hereinafter referred to as a successor employer) during any calendar year acquires substantially all the operating assets of another employer (hereinafter referred to as a predecessor employer) or assets used in a separate unit of a trade or business of a predecessor employer, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor employer, then, for the purposes of determining [whether the successor employer has paid remuneration equal to three thousand dollars] the amount of remuneration paid by the successor employer to such individual during such calendar year which is subject to contributions, any remuneration paid to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer.

For the purpose of payment of benefits, "wages" means the remuneration payable by one or more employers to an individual for employment under this title during [one calendar] his base year.

"Remuneration" means all compensation paid for personal services, including commissions and bonuses and the cash value of all compensation paid in any medium other than cash. The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner.

Sec. 4. Section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010 are each amended to read as follows:

An unemployed individual shall be eligible to receive waiting period credits or benefits with respect to any week only if the commissioner finds that

(1) he has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title;

(2) he has filed an application for an initial determination and made a claim for waiting period credit or for benefits in accordance with the provisions of this title;

(3) he is able to work, and is available for work in any trade, occupation, profession, or business for which he is reasonably fitted. To be available for work an individual must be ready, able, and willing, immediately to accept any suitable work which may be offered to him and must be actively seeking work pursuant to customary trade practices and through other methods when so directed by the commissioner or his agents;

(4) he has been unemployed for a waiting period of one week; [and]

(5) he has within [the] his base year [been paid wages of not less than the minimum amount now or hereafter fixed by law as the minimum amount to be earned in order to allow the individual to receive unemployment benefits]

(a) had both employment in not less than sixteen weeks, in each of which he earned not less than fifteen percent of the "average weekly wage" rounded to the next lower multiple of one dollar, and earned total wages of not less than fifteen percent of the "average annual wage" rounded to the next lower multiple of fifty dollars; or, in the alternative,

(b) had not less than six hundred hours of employment, and earned total wages of not less than fifteen percent of the "average annual wage" rounded to the next lower multiple of fifty dollars: PROVIDED, HOWEVER, That if the base year wages of the individual's current benefit year, for any benefit year beginning after July 3, 1971, include wages earned prior to the establishment of a prior benefit year, the individual shall not be eligible for benefits, unless, in addition to the other requirements of this section, he has earned wages in the last six months of his base year equal to at least six times the weekly benefit amount to which he would otherwise have been entitled: PROVIDED FURTHER, That for benefit years beginning prior to July 4, 1971, any unemployed individual who earned wages of not less than fifteen percent of the "average annual wage" for calendar year 1969 in his base year shall be deemed to have met the eligibility requirements of this subsection.

If the wages of an individual are not based upon a fixed duration of time or if the individual's wages are paid at irregular intervals or in such manner as not to extend regularly over the period of employment, the wages for any week shall be determined in such manner as the commissioner may by regulation prescribe. Such regulation shall, so far as possible, secure results reasonably similar to those which would prevail if the individual were paid his wages at regular intervals.

Sec. 5. Section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120 are each amended to read as follows:

(1) Subject to the other provisions of this title benefits shall be payable to any eligible individual during [the] his benefit year in a maximum amount equal to the lesser of thirty times the weekly benefit amount (determined hereinafter) or one-third of the individual's base year wages under this title.

(2) An individual's weekly benefit amount shall be [in a minimum] an amount [of seventeen dollars for the first one hundred twenty-five dollars or portion thereof in excess of seven hundred ninety-nine dollars and ninety-nine cents of base year wages, increasing one dollar for each one hundred twenty-five dollars or portion thereof of said individual's base year wages earned thereafter, with a maximum amount payable weekly of not more than forty-two dollars] equal to one twenty-fifth of his total wages during that quarter of his base year in which such total wages were highest, except that if such computed amount is less than seventeen dollars, the weekly benefit amount shall be deemed to be seventeen dollars. The maximum amount payable weekly shall be determined as of each June 30th to apply to benefit years beginning in the twelve-month period immediately following such June 30th. The maximum amount payable weekly shall be fifty percent of the "average weekly wage" for the calendar year preceding such June 30th: PROVIDED, That if any [maximum] weekly benefit or maximum benefit amount computed herein is not a multiple of one dollar, it shall be adjusted to the nearest multiple of one dollar, except that if the computed amount ends in fifty cents, it shall be [carried] adjusted to the next higher multiple of one dollar.

NEW SECTION. Sec. 6. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

On or before the fifteenth day of June of each year an "average annual wage" and an "average weekly wage" shall be computed for the preceding calendar year from information for the preceding calendar year reported by all employers as defined in RCW 50.04.080 on employers' contribution reports (including corrections thereof) filed within three months after the close of that year. The "average annual wage" is the quotient derived by dividing total remuneration reported by all employers by the average number of workers reported for all months and rounding to the next lower multiple of one dollar. The average annual wage thus obtained shall be divided by fifty-two and rounded to the next lower multiple of one dollar to determine the "average weekly wage".

Sec. 7. Section 83, chapter 35, Laws of 1945, as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150 are each amended to read as follows:

The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If, during [the] his benefit year, the applicant becomes unemployed after having accepted subsequent work, and [files a claim for waiting period credit or] reports for the purpose of re-establishing his eligibility for benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes.

Each base year employer shall be promptly notified of the filing of any application for initial determination which may result in a charge of his account.

Sec. 8. Section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this title at the rate of two and seven-tenths percent of wages paid [...] each employee, except for such rates as determined for qualified employers according to sections 10 through 18 of this 1970 amendatory act: PROVIDED, That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax.

The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall increase on the January 1st next following by six hundred dollars: PROVIDED, That the amount of wages subject to tax in any calendar year shall not exceed seventy-five percent of the "average annual wage" for the second preceding calendar year rounded to the next lower multiple of three hundred dollars.

Contributions shall become due and be paid by each employer to the treasurer for the unemployment compensation fund in accordance with such regulations as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in employment of the employer. Any deduction in violation of the provisions of this section shall be unlawful.

In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

NEW SECTION. Sec. 9. Sections 10 through 18 of this 1970 amendatory act shall be added to chapter 35, Laws of 1945 and to Title 50 RCW, and shall constitute a new chapter in said Title 50 RCW.

NEW SECTION. Sec. 10. As used in this chapter:

"Computation date" means July 1st of any year;

"Cut-off date" means August 31st next following the computation date;

"Rate year" means the calendar year immediately following the computation date;

"Experience rating year" is the twelve-month period beginning with July 1st of one calendar year and ending on June 30th of the following calendar year;

"Payroll" means all wages (as defined for contribution purposes) paid by an employer to individuals in his employment;

"Acquire" means the right to occupy or use the operating assets formerly in the possession of a predecessor employer whether that acquisition be by purchase, lease, gift, or by any legal process;

"Qualified employer" means: (1) Any employer as of the computation date who had some employment in the twelve-month period immediately preceding April 1st of the first of the three consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such three years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the thirty-six month period immediately preceding the computation date have been paid prior to the cut-off date; or (2) Any employer as of the computation date who has not been subject to this title for a period of time sufficient to be classified as a qualified employer under the provision of subdivision (1) of this paragraph but who had some employment in the twelve-month period immediately preceding April 1st of the first of the two consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such two years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the twenty-four month period immediately preceding the computation date have been paid prior to the cut-off date: PROVIDED, That when an employer or prospective employer has acquired all or substantially all of the operating assets of an employer, or has acquired an operating department, section, division, or any substantial portion of the business or assets of any employer, which is clearly segregable and identifiable for experience rating purposes, the payroll record and benefit charges of the transferring employer shall be divided between the transferring and acquiring employers in proportion to the payrolls for the four preceding completed calendar quarters attributable to the operating assets retained and conveyed. The successor employer shall be liable for contributions on the acquired business from the date the transfer of the business occurred. The separate account of a predecessor or that part thereof which is transferred shall become the separate account or part of separate account as the case may be of the successor employer.

"Surplus" is an amount of moneys in the unemployment compensation fund deemed in excess of the amount needed to insure the solvency of the fund. The "surplus" is determined in the following manner:

(1) For computations prior to January 1, 1974, the total remuneration paid during the calendar year preceding the computation date shall be multiplied by four percent and the product shall be subtracted from the amount in the fund as of the June 30th immediately preceding the computation date. If that balance is at least one-tenth of one percent of the total remuneration paid during the calendar year, that portion of the balance not exceeding forty one-hundredths of one percent of the total remuneration paid during the preceding calendar year shall be deemed "surplus". Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

(2) For computations subsequent to January 1, 1974, the allowable "surplus" shall be computed by use of the following table. Column A represents the ratio of the unemployment compensation fund as of the June 30th preceding the computation date to total remuneration for the preceding calendar year. The percentage figures in Column B represent the maximum percentage of total remuneration during the preceding calendar year which may be deemed as "surplus" in view of the corresponding figures in Column A. No amount of the fund shall be declared surplus if the balance in the fund as of the June 30th immediately preceding the computation date is not at least one-tenth of one percent of total remuneration paid during the preceding calendar year in excess of four percent of total remuneration paid during the preceding calendar year. The percentage amount of total remuneration during the preceding calendar year, column B, may be deemed surplus only to the extent that the balance remaining in the unemployment compensation fund exceeds four percent of the total remuneration paid during the preceding calendar year. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

<i>Column A</i>	<i>Column B</i>
4.1% but less than 4.8%	0.40%
4.8% but less than 5.2%	0.55%
5.2% or more	0.70%

NEW SECTION. Sec. 11. An experience rating account shall be established and maintained for each employer based on existing records of the employment security department and shall be effective beginning with July 1, 1967. Benefits paid to any eligible individuals for benefit years beginning subsequent to June 30, 1967, shall be charged to the experience rating accounts of each of his employers during his base year in the same ratio

that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year; except that benefits paid to an individual under the provisions of RCW 50.12.050 shall not be charged to the account of any employer if the wage credits earned in this state by the individual during his base year are less than the minimum amount necessary to qualify the individual for unemployment benefits.

NEW SECTION. Sec. 12. For the purpose of prorating benefit charges "wages" shall mean "wages" as defined for purpose of payment of benefits in section 3 of this 1970 amendatory act.

NEW SECTION. Sec. 13. For the rate year 1971 and each rate year thereafter an annual decrease quotient factor and a benefit charge-back factor shall be computed for each qualified employer, each to be determined as provided in subsections (1) and (2) hereof respectively:

(1) To determine a qualified employer's average annual decrease quotient his payroll for the three experience rating years immediately preceding the computation date shall be listed in chronological order. The first annual decrease quotient shall be obtained by dividing any decrease in his payroll between the first and second of his experience rating years by the payroll for the first of such years, the division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. The second annual decrease quotient shall be obtained by dividing any decrease in his payroll between the second and third of the listed experience rating years by the payroll for the second listed year, the division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. The employer's average annual decrease quotient shall be obtained by adding his first and second decrease quotients, if any, and dividing by two. The employer's average annual decrease quotient shall determine the point value to be assigned to such employer as his annual decrease quotient factor in accordance with the following schedule.

The annual decrease quotient of a qualified employer who has payrolls for fewer than three experience rating years shall be obtained by dividing any decrease of the employer's payroll in the experience rating year immediately preceding the computation date from the payroll in the preceding experience rating year by the amount of the payroll in such preceding experience rating year, such division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. This annual decrease quotient shall be deemed to be his average annual decrease quotient and shall determine the point value to be assigned to such employer as his annual decrease quotient factor in accordance with the following schedule:

<i>Annual Decrease Quotient</i>	<i>Point Value</i>
0.0000-0.0124	10
0.0125-0.0249	9
0.0250-0.0374	8
0.0375-0.0499	7
0.0500-0.0749	6
0.0750-0.0999	5
0.1000-0.1499	4
0.1500-0.1999	3
0.2000-0.2499	2
0.2500 or more	1

(2) The charge-back ratio for a qualified employer shall be the quotient obtained by dividing the total benefits charged to his account during the thirty-six consecutive month period immediately preceding the computation date by his payroll for the same thirty-six month period as reported not later than August 31 immediately following the computation date, except that the charge-back ratio of any qualified employer whose account has been chargeable for a period of fewer than thirty-six months immediately prior to the computation date shall be the quotient obtained by dividing total benefits charged to his account, prior to the computation date, by his payroll set forth as follows: The payroll shall be that reported by August 31 immediately following the computation date, for the period beginning with the first day of the second calendar quarter following the calendar quarter in which he became liable, and through the end of the calendar quarter immediately preceding the computation date. The charge-back ratios shall be extended to four decimal places, with the remaining fraction, if any, disregarded. The charge-back ratios so obtained shall determine the point value to be assigned each employer as his charge-back factor in accordance with the following schedule:

<i>Charge-Back Ratios</i>	<i>Point Value</i>
Less than 0.0010	10
0.0010-0.0039	9
0.0040-0.0079	8
0.0080-0.0119	7
0.0120-0.0159	6
0.0160-0.0199	5
0.0200-0.0219	4
0.0220-0.0239	3
0.0240-0.0269	2
0.0270 and over	1

NEW SECTION. Sec. 14. The annual decrease-quotient point value for each qualified employer shall be added to his charge-back point value and this sum shall designate his rate class. For the rate year 1971 and each rate year thereafter the contribution rate for each qualified employer shall be the "class rate" determined for that class into which the employer is placed by application of this section.

(1) A "class weight" shall be assigned to each rate class as follows:

<i>Rate Class</i>	<i>Class Weight</i>
20	9.0
19	8.5
18	8.0
17	7.5
16	7.0
15	6.5
14	6.0
13	5.5
12	5.0
11	4.5
10	4.0
9	3.5
8	3.0
7	2.5
6	2.0
5	1.5
4	1.0
3	0.5
2	0.0

(2) A "class product" for each rate class shall be obtained by dividing the total of the taxable payrolls for the experience rating year immediately preceding the computation date for all qualified employers in the rate class by the total of the taxable payrolls of all qualified employers for such experience rating year, such division being carried to the sixth decimal place with the remaining fraction, if any, disregarded, and multiplying the quotient by the class weight for that rate class.

(3) The surplus to be credited to each rate class shall be the product obtained by multiplying the surplus to be credited to all employers by the quotient of the class product for the class divided by the sum of the class products for all classes, such division being carried to the sixth decimal place with the remaining fraction, if any, disregarded. No portion of the surplus shall be credited to rate class 2.

(4) A "class credit factor" shall be obtained for each rate class by dividing the portion of the surplus assigned to the class by the sum of the payrolls of all employers in that class for the experience rating year immediately preceding the computation date, such division being carried out to the fourth decimal place and the remaining fraction, if any, disregarded.

(5) The "class rate", expressed as a percent, for each rate class shall be derived by subtracting the class credit factor for that rate class from .0270 and multiplying this result by one hundred.

NEW SECTION. Sec. 15. Effective January 1, 1971, predecessor and successor employer contribution rates shall be computed in the following manner:

(1) If the successor is an employer at the time of the transfer, his contribution rate shall remain unchanged for the remainder of the rate year in which the transfer occurs.

(2) The contribution rate on any payroll retained by a predecessor employer shall remain unchanged for the remainder of the rate year in which the transfer occurs.

(3) If the successor is not an employer at the time of the transfer, he shall pay contributions for the remainder of the rate year in which the transfer occurs at the rate assigned to the predecessor employer.

(4) If the successor is not an employer at the time of the transfer and simultaneously acquires the business or a portion of the business of two or more employers, his rate from the date the transfer occurred shall be the same as the highest rate assigned to one of the predecessors.

(5) In all cases, from and after January 1 following the transfer, the successor's contribution rate for each rate year shall be based on his experience with payrolls and benefits combined with the experience of his predecessor or predecessors, as of the regular computation date for that rate year.

(6) In all cases, from and after January 1 following the transfer, the predecessor's contribution rate for each rate year shall be based on his experience with payrolls and benefits, as of the regular computation date for that rate year, excluding therefrom such experience as was credited to the successor or successors under other provisions of this title: **PROVIDED**, That if all of the predecessor's experience with payrolls and benefits is transferred to a successor or successors the predecessor shall not be a qualified employer within the meaning of section 10 of this act until his account following the date of the transfer has been chargeable with benefits throughout not less than thirty-six consecutive months immediately preceding the computation date.

NEW SECTION. Sec. 16. Within a reasonable time after the computation date, each employer shall be notified of the total amount of benefits charged to his account during the twelve-month period immediately preceding the computation date and, upon request, the

amount of such charges with respect to each individual receiving unemployment benefits charged to his account.

Within a reasonable time after the computation date each employer shall be notified of his rate of contribution as determined for the succeeding rate year.

Any employer dissatisfied with the benefit charges made to his account or with his determined rate may file a request for review and redetermination with the commissioner within thirty days of the mailing of the notice to the employer, showing the reason for such request. Should such request for review and redetermination be denied, the employer may, within ten days of the mailing of such notice of denial, file with the appeal tribunal a petition for hearing which shall be heard in the same manner as a petition for denial of refund. The appellate procedure prescribed by this title for further appeal shall apply to all denials of review and redetermination under this section.

NEW SECTION. Sec. 17. The commissioner may redetermine any contribution rate if, within three years of the rate computation date, he finds that the rate as originally computed was erroneous.

In the event that the redetermined rate is lower than that originally computed the difference between the amount paid and the amount which should have been paid on the employer's taxable payroll for the rate year involved shall be established as a credit against his tax liability; however, if the redetermined rate is higher than that originally computed the difference between the amount paid and the amount which should have been paid on the employer's taxable payroll shall be assessed against the employer as contributions owing for the rate year involved.

The redetermination of an employer's contribution rate shall not affect the contribution rates which have been established for any other employer nor shall such redetermination affect any other computation made pursuant to this title.

The employer shall have the same rights to request review and redetermination as he had from his original rate determination.

NEW SECTION. Sec. 18. One-half the amount of experience rating credit to which an employer is determined to be entitled for the credit year beginning July 1, 1970, may be applied against contributions payable by him on wages paid in that credit year prior to January 1, 1971. The remaining half of the experience rating credit to which he is determined to be entitled for the credit year beginning July 1, 1970, and any credits not usable because they are in excess of the contributions due on wages paid during the period beginning July 1, 1970, and ending December 31, 1970, shall be canceled.

NEW SECTION. Sec. 19. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

(1) Any payments which an individual has claimed, is receiving or has received under a government and/or a private retirement pension plan, to which a base year employer has contributed on behalf of such individual, shall be deemed remuneration under this title for the purpose of determining eligibility and the amount of weekly benefits to which such an individual is entitled: PROVIDED, That in no event will Old Age and Survivors Insurance Benefits, under the provisions of Title II of the federal social security act, as amended, serve to reduce an individual's weekly benefit amount.

(2) Payments claimed or received under a government and/or a private pension plan shall not be considered wages subject to contributions under this title nor shall such payments be considered in determining base year earnings of the individual.

(3) In the event a retroactive retirement or pension payment covers a period in which an individual received benefits under the provisions of this title, the excess paid over the amount to which he would have been entitled had such retirement or pension payment been considered, as provided in subsection (1) above, shall be recoverable under RCW 50.20.190: PROVIDED, HOWEVER, That any amounts which have been deducted from the weekly benefit amount by reason of the provisions of this section shall not be available for future benefits: PROVIDED, FURTHER, That no payments received on account of temporary or permanent disability rather than on account of age or length of service shall be considered compensation paid for personal services.

Sec. 20. Section 3, chapter 286, Laws of 1955 and RCW 50.20.030 are each amended to read as follows:

A [pregnant] woman [shall be presumed to be unable to work and unavailable for work if she left her most recent work voluntarily] *who voluntarily quits work* because of pregnancy *shall be disqualified from benefits for the week in which she quits and thereafter through the terminal week of her pregnancy:* PROVIDED, HOWEVER, That in any event a pregnant woman shall be [ineligible to receive] *disqualified from receiving* benefits for any calendar week during the period beginning with the [tenth] *seventeenth* calendar week [before] *immediately preceding* the expected date of confinement, as determined by a doctor, and extending through the [fourth] *sixth* calendar week *immediately* following the week in which childbirth occurs.

Sec. 21. Section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.050 are each amended to read as follows:

An individual shall be disqualified [for] *from* benefits *beginning with the first day of* [for] the calendar week in which he has left work voluntarily without good cause and [for the five calendar weeks which immediately follow such week] *thereafter until he has obtained work and earned wages of not less than his suspended weekly benefit amount in each of five calendar weeks:* PROVIDED, That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual left work.

Sec. 22, Section 74, chapter 35, Laws of 1945, as last amended by section 9, chapter 8, Laws of 1953 first extraordinary session and RCW 50.20.060 are each amended to read as follows:

An individual shall be disqualified [for] from benefits [for] beginning with the first day of the calendar week in which he has been discharged or suspended for misconduct connected with his work and [for the five calendar weeks which immediately follow such week] thereafter until he has obtained work and earned wages of not less than his suspended weekly benefit amount in each of five calendar weeks: PROVIDED, That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual was discharged or suspended.

NEW SECTION. Sec. 23. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

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

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

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

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

(3) "Insured unemployment" for any week as used for this computation means the number of weeks of unemployment claimed in Washington for that week, excluding weeks of unemployment claimed in connection with unemployment compensation programs which are exclusively federal and excluding any weeks claimed by an individual following the week in which benefits based on his original entitlement were exhausted.

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

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

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

NEW SECTION. Sec. 24. Sections 10, 11, 12, 15 and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050 and 50.28.060, and section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040 are each hereby repealed. Such repeals shall not be construed as affecting any existing right to any redetermination, correction, or pending appeal involving any experience rating credit determination or redetermination.

NEW SECTION. Sec. 25. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 5, 1970: PROVIDED, That sections 3 and 8 of this 1970 amendatory act shall not take effect until January 1, 1971.", and the same is herewith transmitted MALCOLM McBETH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate concurred in the House amendment to Engrossed Senate Bill No. 8.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 8, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson, Woodall—45.

Voting nay: Senators Guess, Lewis (Brian), Newschwander, Twigg—4.

ENGROSSED SENATE BILL NO. 8, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:30 p.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, February 2, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SECOND DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 2, 1970.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Elicker, Pritchard, Stender and Williams. On motion of Senator Atwood, Senators Elicker, Stender and Williams were excused until 2:00 p.m. On motion of Senator Bailey, Senator Durkan was excused until 2:00 p.m. On motion of Senator Atwood, Senator Pritchard was excused.

The Color Guard, consisting of Pages Mike Cook, Color Bearer, and Marlene Davis, presented the Colors. Reverend Glen D. Cole, pastor of the First Assembly of God Church of Olympia, offered prayer as follows:

“Our Heavenly Father, we bow humbly before Thee at the beginning of another week of work. By doing so we acknowledge our own weaknesses, our lack of wisdom and resources. We now do what Jesus invited us to do as He preached from the mount long ago: ‘Ask, and you will receive; seek, and you will find; knock, and the door will be opened to you. For everyone who asks will receive and he who seeks will find and the door will be opened to him who knocks.’ Grant, Oh God, this day because we have asked, Divine wisdom in the affairs that face this body. We thank You for the ability to serve. We are grateful for the strength to serve. Now endow these men with attributes that are beyond their normal powers so that the work that is theirs to do may be done efficiently, effectively and for the good of the majority. Give a sense of right, we pray, and an awareness of the voice of good conscience. For Your interest, Your help, and Your power, we thank You. In Christ’s name. Amen.”

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORT OF STANDING COMMITTEE

February 2, 1970.

ENGROSSED HOUSE BILL NO. 74, relating to the retirement and pensions of law enforcement officers and fire fighters (reported by Committee on Rules and Joint Rules):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means—Appropriation.

Signed by: President Cherberg, Chairman; Senators Atwood, Bailey, Connor, Cooney, Foley, Greive, Guess, Henry, Keefe, Knoblauch, Peterson (Ted), Ryder, Talley, Williams, Woodall.

MESSAGE FROM THE HOUSE

January 31, 1970.

Mr. President: The House has passed:

- ENGROSSED HOUSE BILL NO. 21,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 50,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 51,
- ENGROSSED HOUSE BILL NO. 52,
- HOUSE BILL NO. 140,
- HOUSE BILL NO. 162,
- HOUSE BILL NO. 278,
- ENGROSSED HOUSE BILL NO. 295,
- ENGROSSED HOUSE JOINT RESOLUTION NO. 5,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 8.

INTRODUCTION AND FIRST READING

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

Authorizing cities and counties to impose a sales and use tax.
Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, by Committee on Businesses and Professions:

Enacting a comprehensive gambling law.

MOTION

Senator Walgren moved that Engrossed Substitute House Bill No. 50 be referred to the Committee on State Government.

POINT OF INQUIRY

Senator McCormack: "Will Senator Walgren yield? Have you discussed your motion with Senator Mardesich, Senator Walgren?"

Senator Walgren: "On several occasions, yes. I do not know what his feeling is with regard to it."

Senator McCormack: "In other words, you do not have an agreement with him on this motion?"

Senator Walgren: "No, I do not."

Senator McCormack: "Thank you."

The motion lost. Engrossed Substitute House Bill No. 50 was referred to the Committee on Commerce and Regulatory Agencies.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 51, by Committee on Natural Resources:

Implementing law relating to pollution of waters by oil.

Referred to the Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

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

Supplementing water pollution control law.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

HOUSE BILL NO. 140, by Representatives Zimmerman, Smythe, Marsh and Sprague: Establishing a system of state recreational trails.

Referred to Committee on Natural Resources, Fisheries and Game.

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

Relating to civil disturbance and providing penalties.

Referred to Judiciary Committee.

HOUSE BILL NO. 278, by Representatives Thompson, Flanagan and Zimmerman: Defining "water" to include salt and saline waters.

Referred to Committee on Natural Resources, Fisheries and Game.

ENGROSSED HOUSE BILL NO. 295, by Representatives Clarke (George W.) and Haussler:

Pertaining to crimes and criminal procedure.

Referred to Judiciary Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 5, by Representatives Swayze, Ceccarelli, Brown, Bledsoe, Bluechel, Chapin, Clarke (George W.), Curtis, Kiskaddon, Kopet, Leckenby, Mahaffey, Murray, Pardini, Merrill and Litchman (by executive request):

Amending Constitution to require annual sessions of the legislature.

Referred to Committee on Constitution, Elections and Legislative Processes.

MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

Senators Woodall, Twigg and Donohue demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Pritchard who had previously been excused.

On motion of Senator Woodall, the Senate proceeded under the Call of the Senate.

SENATE RESOLUTION: 1970 EX-14

By Senators Day, Greive and Peterson (Ted):

WHEREAS, Each state has gone its separate way in the licensing of persons engaged in certain occupations and professions and has, for the most part, enacted licensure laws different from those of other states; and

WHEREAS, It is the position of officials in the federal department of labor that state licensure laws are creating, in many states, manpower shortages in certain occupations and professions, there is a rising concern among state licensure law administrators that the federal government is moving toward enacting preemptive federal licensure laws; and

WHEREAS, This state's laws requiring licenses for persons engaged in different occupations and professions vary from each other in a multitude of insignificant and purposeless ways, and this fact has created enormous problems in the administration of these laws and, in addition, because all these insignificant and varying details would have to be taken account of in any reciprocity negotiations with other states, they would tend to have a detrimental effect on producing reciprocal agreements; and

WHEREAS, The department of motor vehicles, through its business and professions administration, has recently completed a beginning study on the feasibility of implementing interstate reciprocity agreements for a number of professions and occupations commonly covered under state licensure laws; and

WHEREAS, This state has been a leader in the formation of the Council of Occupational Licenses, which is a national organization of the states having the purpose, among others, of fostering reciprocal licensure agreements between states;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the legislative council, through its commerce, industry, trades and professions committee, make a thorough study of the licensure laws of this state pertaining to occupations and professions and how these laws might best be changed in order to facilitate reciprocal licensure agreements with other states.

BE IT FURTHER RESOLVED, That the legislative council, through its commerce, industry, trades and professions committee, make a report on this study and any recommendations arising therefrom to the forty-second session of the legislature.

On motion of Senator Guess, the resolution was adopted.

SENATE RESOLUTION: 1970 EX-15

By Senators Peterson (Ted), Greive and Lewis (Harry):

WHEREAS, Rigors of the Second Extraordinary Session having whipped the members of the 41st Legislature into a fine condition; and

WHEREAS, Among talents of the various members lies a storehouse of athletic excellence and ability; and

WHEREAS, There is no better and/or fitting way to bring out these rusty but virile talents than the invigoration of a challenging contest of America's premier winter indoor sport, basketball;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Capitol Press Corps attendant upon the Second Extraordinary Session of the 41st Legislature hereby issue the following challenge:

THAT, The members of the Legislature appear at the Jay Rockey Gymnasium, William Winlock Miller High School, Olympia, on Wednesday, February 4, 1970, beginning at 8:00 p.m.; and

THAT, At that time, be prepared for a contest of basketball with the sterling Knights of the Capitol Press Corps; and

THAT, All proceeds therefrom, in the amount of \$1.00 per admission be donated to the March of Dimes (the legislators will need it!);

AND BE IT FURTHER RESOLVED THAT, All others attending upon the Second Extraordinary Session of the 41st Legislature are hereby requested and encouraged to attend the BATTLE OF THE CENTURY.

On motion of Senator Peterson (Ted), the resolution was adopted.

Senator Francis moved adoption of the following resolution:

SENATE RESOLUTION: 1970 EX-16

By Senator Francis:

WHEREAS, The state has experienced marked population increases in recent decades; and

WHEREAS, This same period has seen rapid social changes and extensive urbanization; and

WHEREAS, It is of vital public importance to maintain a system of judicial administration that continues to provide an efficient enforcement of the law, protection for our citizens and their property, and justice to all in these changing circumstances;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the legislative council is authorized and directed to undertake a study directed at improving the administration of justice, including the organization and jurisdiction of all courts and judicial services, by holding hearings open to the public, throughout the state to apprise themselves of local concerns and circumstances that affect the administration of justice, and to prepare and recommend a new judicial article for the Constitution of the state of Washington.

BE IT FURTHER RESOLVED, That the results of the study and the recommendations, including a draft of the new judicial article and companion implementing legislation, be presented to the next regular session of the legislature for its consideration.

POINTS OF INQUIRY

Senator Metcalf: "Will Senator Francis yield? Senator Francis, does the wording here 'including the organization and jurisdiction of all courts and judicial services' include a complete study of the various districts of the superior court, size of districts, and districting?"

Senator Francis: "Yes, that does include it. It not only authorizes but directs it but I would also suggest that you communicate with the appropriate person. In this case I expect that it would get to Senator Woodall's subcommittee during the interim to make sure that matter is considered as part of the total consideration of this."

Senator Metcalf: "This is the intent of the resolution?"

Senator Francis: "That is the intent of the resolution."

Senator Andersen: "Will Senator Francis yield? Senator Francis, this resolution cites many merits, which it might have, I do not know, but you are directing by a floor resolution that the legislative council undertake a rather massive study, which will cost money. You are directing that hearings be held throughout the state which will cost money if the job is done correctly. I wonder if there is any particular reason why this resolution should be plopped in here as a floor resolution rather than going the route of the appropriate committees such as Judiciary and/or Appropriations Committee or Ways and Means. The only thought that I have is that we are biting off something pretty big here. I am sure the Legislative Council will give it a lot of consideration and spend a lot of time on it, and I for one am not sure that I would want to bypass the committee system. I mean if there is a reason for it, fine; I do not mean to give a speech. I just mean to ask you if there are some reasons."

Senator Francis: "Yes, there are some specific reasons, Senator. I hope they will satisfy

you. The first one is that the session was short, and Judge Russell representing the Magistrates' Association came down after the time for filing of bills. In addition to that, I was assured by him and by others that the major portion of the research on this matter has been worked on for about five years and that it was felt by a number of these groups that continued study would be made for years hereafter unless we just decide to go ahead and let's bring the matter to a head and make some decisions on it. I think that the materials are available and that we are not starting from scratch. I do not think it is as massive as it may appear."

POINT OF ORDER

Senator Andersen: "I would raise the point of order, Mr. President, that this senate floor resolution directs the legislative council to undertake a study which I do not believe it is authorized to do under the rules. As I recall, you have to have a joint resolution before you can direct that a study be undertaken particularly where you have a study requiring the use of public funds of an amount that I do not know."

Senator Woodall: "I believe the senator's point is well taken. I think the good senator should amend it to use the word 'requested' rather than 'directed.' I believe one House cannot direct the council."

Senator Francis: "Mr. President, I would so move that this be amended to say 'requested' rather than 'directed.'"

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order by Senator Andersen finds that the point is well taken. Senator Francis has moved that the resolution be amended to change the resolution from one of direction to one of a request. If there are no objections, the Secretary will prepare the said amendment."

On motion of Senator Francis, the following amendment was adopted:

On page 1, line 10, after "and" and before "to" strike "directed" and insert "requested"

The motion carried and the resolution as amended was adopted.

MOTION

At 2:30 p.m., on motion of Senator Bailey, the Senate was declared to be at ease. The President called the Senate to order at 3:20 p.m.

SPECIAL ORDER OF BUSINESS

ENGROSSED SENATE JOINT RESOLUTION NO. 4, by Senators McCutcheon, Stender, Donohue, Durkan, Day, Talley, Twigg and Knoblauch:

Providing for an assessed valuation of twenty-five percent of the true and fair value of property.

The time having arrived, the Senate resumed consideration of the motion for reconsideration presented by Senator Woodall on the failure of the Senate to pass Engrossed Senate Joint Resolution No. 4.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Dore: "Is the five-minute time limitation in effect today, or was that only for two days?"

REPLY BY THE PRESIDENT

The President: "The President's understanding, Senator Dore, was that the five-minute limitation was for Friday and Saturday."

The motion for reconsideration was carried.

The President declared the question before the Senate to be Engrossed Senate Joint Resolution No. 4 on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator McCormack yield? Senator, I know that you are very knowledgeable. I do not wish to dispute a single thing you have said, but I want to ask you one question. If Senate Joint Resolution No. 4 is not on the ballot and House Joint Resolution No. 42 fails, what then will be our tax structure?"

Senator McCormack: "If the tax reform fails, our tax structure will be exactly as it is today; but we will be facing a legislative session in 1971 where all the chickens will have come home to roost that we have put off until tomorrow. We will be faced with a much greater demand for expenditures on the same limited tax base we now have, but under no conditions will the basic property tax be any higher than it is today. Senate Joint Resolution No. 4 and for that matter the tax reform package will not in and of themselves protect property taxes from going any higher next year than the freeze bill does or any modification of the freeze bill that we would pass."

Further debate ensued.

Senators Talley, Atwood and Washington demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 4, and the resolution failed to pass the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Canfield, Connor, Cooney, Day, Donohue, Durkan, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Knoblauch, McCutcheon, Matson, Newschwander, Odegaard, Peterson (Lowell), Sandison, Stender, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—27.

Voting nay: Senators Andersen, Atwood, Bailey, Dore, Elicker, Faulk, Foley, Francis, Holman, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Metcalf, Peterson (Ted), Ridder, Ryder, Washington, Williams—21.

Excused: Senator Pritchard—1.

ENGROSSED SENATE JOINT RESOLUTION NO. 4, having failed to receive the constitutional two-thirds majority, was declared lost.

SECOND READING

SENATE BILL NO. 243, by Senators Elicker, Wilson and Faulk (by departmental request):

Increasing fees for certified copies of vital statistics records.

The bill was read the second time by sections.

On motion of Senator Elicker, the rules were suspended, Senate Bill No. 243 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 243, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander,

Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Excused: Senator Pritchard—1.

SENATE BILL NO. 243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 4:50 p.m., on motion of Senator Greive, the Senate adjourned until 11:30 a.m., Tuesday, February 3, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-THIRD DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 3, 1970.

The Senate was called to order at 11:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Lewis (Brian). On motion of Senator Atwood, Senator Lewis (Brian) was excused.

The Color Guard, consisting of Pages David Molyneux, Color Bearer, and Megan Mardesich presented the Colors. Reverend Glen D. Cole, pastor of First Assembly of God Church of Olympia, offered prayer as follows:

“Our Father and our God, we thank Thee on this day for Your blessing upon America. You have given us our prosperity, our freedom, and our power. We are thankful that we can salute our flag and say, ‘. . .one nation, under God. . .’ That we can sing such anthems as, ‘God bless America, land that I love. . .’ We, therefore, enter these chambers today to consecrate ourselves to the work You have given us to do. To preserve the things that have made us a great nation. As was prayed at President Nixon’s inauguration, we pray today. . . ‘Give these men cool heads and warm hearts. Give them compassion for those in physical, moral, and spiritual need.’ We pray that Thou wilt so guide this body in handling the affairs of state that many will marvel and glorify Thee. May, when this day is done, we be able to look back without regret because we have served Thee and our fellowman with diligence. In the name of Thy Son, Jesus Christ, we pray. Amen.”

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

February 3, 1970.

HOUSE BILL NO. 34, correcting code sections relating to revenue and taxation (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 35, correcting code sections relating to motor vehicles (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 36, correcting code sections relating to elections (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 37, correcting code sections relating to metropolitan municipal corporations (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 38, correcting code sections relating to state government (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 39, correcting code sections relating to intoxicating liquor (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 40, correcting code sections relating to public lands (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 41, correcting code sections relating to education code (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 42, updating repealer of old school code, effective when new education codes take effect (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 46, providing post retirement adjustments in retirement allowances for public employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Faulk, Herr, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

ENGROSSED HOUSE BILL NO. 201, authorizing establishment of speed limits for auto stages (reported by Committee on Highways):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Dore, Faulk, Foley, Guess, Herr, Huntley, McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

SUBSTITUTE HOUSE BILL NO. 220, establishing procedures for the sale of surplus public hospital property (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Cooney, Elicker, Holman, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

HOUSE BILL NO. 226, relating to motor vehicle speed (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Faulk, Foley, Guess, Herr, Huntley, Knoblauch, Lewis (Brian), Marquardt, Matson, Peterson (Lowell), Pritchard, Ridder, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

HOUSE JOINT MEMORIAL NO. 2, requesting Blaine Peace Arch commemorative stamp and inviting President Richard M. Nixon to attend 50th anniversary celebration (reported by Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Lewis (Harry), Pritchard.

On motion of Senator Wilson, the rules were suspended, House Joint Memorial No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Wilson, the rules were suspended, House Joint Memorial No. 2 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 2, and the memorial passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall-46.

Absent or not voting: Senators Andersen, Williams-2.

Excused: Senator Lewis (Brian)-1.

HOUSE JOINT MEMORIAL NO. 2, having received the constitutional majority, was declared passed.

REPORT OF STANDING COMMITTEE

February 2, 1970.

HOUSE JOINT MEMORIAL NO. 3, petitioning the President, Congress, and the Department of State to undertake more determined efforts in support of captured American men and those missing in action (reported by Committee on Parks, Recreation, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Lewis (Harry), Pritchard.

On motion of Senator Canfield, the rules were suspended, House Joint Memorial No. 3 was advanced to second reading and read the second time in full.

On motion of Senator Canfield, the rules were suspended, House Joint Memorial No. 3 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 3, and the memorial passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—47.

Absent or not voting: Senator Woodall—1.

Excused: Senator Lewis (Brian)—1.

HOUSE JOINT MEMORIAL NO. 3, having received the constitutional majority, was declared passed.

LETTER OF INFORMATION

February 3, 1970.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98501

MR. PRESIDENT:

The Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

HOUSE BILL NO. 5: Sheltered workshops, tax exempt (with amendment).

HOUSE BILL NO. 27: Income tax, school special levy relief use (with amendment).

HOUSE BILL NO. 88: Tax reform date change; income tax credits (with amendment).

SENATE BILL NO. 46: Income tax, school special levy relief use.

SENATE BILL NO. 65: Delinquent taxes, interest rate (with amendment).

SENATE BILL NO. 192: Excess levies, simple majority (with amendment).

The Revenue and Taxation Committee has recommended that the nomination of Robert I. Tenney to the State Board of Tax Appeals be confirmed.

Sincerely,

MIKE McCORMACK
Chairman, Revenue and Taxation Committee.

MESSAGES FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 30, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, State Aeronautics Commission, subject to your confirmation:

EMMETT WATSON, appointed January 13, 1970 for a term ending December 31, 1974, succeeding Benjamin F. Smith.

Sincerely,
DANIEL J. EVANS
Governor.

Office of the Governor, January 16, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the position of Member, Parks and Recreation Commission, subject to your confirmation:

JAMES G. McCURDY, appointed March 2, 1967 for a term ending December 31, 1972, succeeding Ted R. McTighe.

Sincerely,
DANIEL J. EVANS
Governor.

MESSAGE FROM THE HOUSE

February 2, 1970.

Mr. President: The Speaker has signed SENATE BILL NO. 8, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

Senator Dore moved adoption of the following resolution:

SENATE RESOLUTION: 1970 EX-17

By Senators Dore, Mardesich, Bailey, Greive, Stortini, Cooney, Herr, Gissberg, Ridder, Day, Walgren, Odegaard, Donohue, Durkan and Washington:

WHEREAS, Considerable evidence has come to the attention of the Senate Appropriations Committee in its deliberations in this the second extraordinary session of the 41st Legislature concerning the extent to which public employees are subsidized at state expense in furthering their education at the graduate and undergraduate levels of instruction; and

WHEREAS, Evidence has come before this body that in the Department of Public Assistance fifty-six employees are currently receiving stipends from the department consisting of full or three-fourths salary to attain degrees in law and other graduate degrees both in and out of state, at the University of Washington, University of British Columbia, Sacramento State College, University of Minnesota, University of Indiana and elsewhere; and

WHEREAS, State funds are employed for this same purpose in other departments of state government, including but not limited to the Department of Institutions, the State Library, the Department of Health, and the Department of Highways; and

WHEREAS, It has also come to the attention of this body that sabbatical leaves are granted for periods of rest, relaxation and research and, in some cases, in furtherance of graduate degrees among the four-year institutions of higher learning, the twenty-two community colleges, and in the more than three hundred local school districts in the state; and

WHEREAS, Further evidence has been presented to this body that many of said state employees are supposedly engaged in full time employment for the state, receiving full pay and emolument, while at the same time pursuing full and partial credit undergraduate and graduate degree courses, attending classes during the regular working hours; and

WHEREAS, Full information and disclosure has not been presented to the Washington State Legislature respecting these practices or the policies employed by departments and agencies in granting leaves; and

WHEREAS, The entire matter of policy relative to stipends, sabbatical leaves, and other leaves should be a fit subject for legislative consideration and action;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Joint Committee on Governmental Cooperation is requested to study the question of policy, rules and regulations relative to the granting of stipends, sabbatical leaves, and other leaves in state and local government and shall make recommendations and propose legislation where appropriate, including but not limited to the development of a uniform policy regarding these matters; and

BE IT FURTHER RESOLVED, That the said Committee shall present its findings, conclusions and recommendations, and suggested legislation, together with a full itemization

and disclosure of all persons in all state and local agencies of government who are the recipients of such stipends, sabbatical leaves, and other leaves, to the 42nd Legislature; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be transmitted to the director of each state agency, to the president of each public institution of higher learning, to the president of each community college, to the superintendent of each local school district, to the mayor of each city and municipality, and to the board of county commissioners of each county in the state of Washington.

Senator Guess moved adoption of the following amendment to the resolution:

On line 6, page 2, after "and" add the following: "WHEREAS, The gravity of the expenditures of state funds for the education of employees to levels far in excess of that which is reasonable weighs heavier on this special legislative session than any other issue that has been raised. The reaction of the citizenry of this state was sheer disbelief which is changing to anger. It, therefore, becomes imperative that this legislature convey to all department administrators its strong disapproval of all such programs and ask that they be discontinued until after the study recommended herein."

Senator Guess moved adoption of the following amendment to the amendment:

After "discontinued" and before "until" insert "beginning July 1, 1970"

Debate ensued.

On motion of Senator Bailey, the amendment to the amendment and the amendment were laid upon the table.

Senator Andersen moved adoption of the following amendment to the resolution:

On page 2, lines 10 and 11, strike "Joint Committee on Governmental Cooperation" and insert "Legislative Budget Committee"

Debate ensued.

POINTS OF INQUIRY

Senator McCutcheon: "Will Senator Andersen yield? Is there any part of this eighteen thousand dollars—I am not alleging the exact amount because I do not know—or that money coming from the federal government?"

Senator Andersen: "Yes, it does the same as all of our programs virtually and unfortunately. . . ."

Senator Atwood: "Will Senator Andersen yield? Senator Andersen, Senator McCutcheon asked you a question about the federal programs. Would you tell us what the law provides for the Budget Committee to do and also the resolution authorizing the Joint Committee on Governmental Cooperation?"

Senator Andersen: "Yes, I will be pleased to. To make this exactly clear, the duties of the Joint Committee on Intergovernmental Cooperation as established by Senate Concurrent Resolution No. 12 at the last session provided in essence, and I quote 'to determine whether or not there are any programs which the state of Washington is eligible for but not taking advantage of.' On the other hand the duties of the Legislative Budget Committee during the interim as established by law and I quote RCW 44.28.060 'to exercise all duties and functions relating to the study of expenditures by the state government, its officers, boards, committees, commissions, institutions, and other state agencies.' In other words, the function of the Budget Committee is to study matters of this precise kind, and that was the purpose of my amendment."

Senators Greive, Dore and Metcalf demanded a Call of the Senate.

Senator Greive demanded a roll call and the demand was sustained by Senators Dore, McCutcheon, Cooney, Keefe, Odegaard, Herr, Francis, Ridder, Connor, Donohue and Day.

ROLL CALL

The Secretary called the roll and the demand for a Call of the Senate was sustained by the following vote: Yeas, 26; nays, 21; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Francis, Gissberg, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—26.

Voting nay: Senators Andersen, Atwood, Canfield, Elicker, Faulk, Guess, Holman, Huntley, Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ryder, Stender, Twigg, Williams, Woodall—21.

Absent or not voting: Senator Foley—1.

Excused: Senator Lewis (Brian)—1.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

Senator Greive moved that the amendment by Senator Andersen be laid upon the table.

Senator Newschwander demanded a roll call and the demand was sustained by Senators Dore, Ryder, Metcalf, Pritchard, Faulk, Guess, Atwood, Twigg, McDougall and Canfield.

ROLL CALL

The Secretary called the roll and the amendment by Senator Andersen was laid upon the table by the following vote: Yeas, 26; nays, 21; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Francis, Gissberg, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—26.

Voting nay: Senators Andersen, Atwood, Canfield, Elicker, Faulk, Guess, Holman, Huntley, Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ryder, Stender, Twigg, Williams, Woodall—21.

Absent or not voting: Senator Foley—1.

Excused: Senator Lewis (Brian)—1.

Senators Greive, Sandison and Dore demanded the previous question and the demand was sustained.

The President declared the question to be the adoption of the resolution.

The motion by Senator Dore carried and the resolution was adopted.

MOTIONS

On motion of Senator Williams, Engrossed House Bill No. 74 was ordered placed at the beginning of the second reading calendar for Wednesday, February 4, 1970.

MOTIONS

Senator Greive moved that the Senate do now adjourn.

Senator Ryder moved adoption of the following resolution:

SENATE RESOLUTION: 1970 EX-18

By Senators Atwood, Ryder, Greive and Bailey:

WHEREAS, Following the pattern established both by industry and the armed forces of the United States, many state governments including the government of this state have sought to better fulfill their personnel needs through programs which offer job training stipends to employees of proven ability; and

WHEREAS, Such programs, by obligating the employee-recipients of such stipends to a fixed period of service following such training, enhance governmental planning by assuring the continued services of persons possessing a knowledge of governmental administration combined with professional and technical skills thus acquired; and

WHEREAS, The operation of such programs and the benefits which particularly may be derived from them appear to require more precise definition;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the legislative budget committee is hereby requested to examine the subject of government training stipends and on-the-job training programs and to submit its findings and recommendations to the forty-second legislature.

Debate ensued.

POINTS OF INQUIRY

Senator Bailey: "This resolution although I am one of the sponsors, Senator Ryder—I also sponsored the latest one too. . . ."

Senator Ryder: "Yes, there is no conflict, Senator Bailey."

Senator Bailey: "We have already determined this was not going to go to the Budget Committee, and I think we are really acting on the same thing in a different fashion. I think that the Senate has already acted by this last action in putting it into the Intergovernmental Cooperation Committee."

Senator Ryder: "Senator Dore in his presentation said that the Budget Committee could also study this if they so desired. This resolution would direct them to do so."

Senator Dore: "This needs some explanation. I said that they could study it whether we passed this resolution or not, but I think that we should show our intent here of what committee we wanted to study it. It would be inconsistent to direct the Budget Committee to do the same thing, but there is nothing to prevent the Budget Committee in their own initiative to study it. It involves public funds, and it is certainly within the perimeter of their organization and their bylaws."

POINT OF ORDER

Senator Mardeschich: "Did Senator Greive make a motion for adjournment?"

REPLY BY THE PRESIDENT

The President: "Yes, the President has not put the motion as yet, Senator Mardeschich."

POINT OF ORDER

Senator Woodall: "Even though one resolution has been adopted, as long as we are on that order of business, this resolution is properly before the body. Now in view of the action taken, maybe the majority party is going to want to move to table it; or maybe the majority party is going to want to move to scuttle it into some committee. The fact remains that the mere fact the other one was adopted does not dispose of this. This is the proper order of business; and unless the motion for adjournment carries, it is properly before the body under this particular order of business. The majority party, of course, is free to make any motions they want to relative to it, but I think Senator Ryder's point is indeed well taken."

RULING BY THE PRESIDENT

The President: "Senator Woodall and gentlemen of the Senate, the President in ruling upon the point of order as presented by Senator Woodall rules that the point is well taken; however, Senator Greive has moved that the Senate adjourn until 11:00 a.m. tomorrow."

There being no objection, Senator Greive withdrew his motion to adjourn.

POINT OF INQUIRY

Senator Dore: "Will Senator Ryder yield? I notice on lines eight, nine, and ten of the resolution 'enhance governmental planning by assuring the continued services of persons possessed in the knowledge of governmental administration combined with professional and technical skills thus acquired.' In the case of Duane Paxton, he was the expert in personnel. He is now going to law school and taking a third-year course. By adopting the resolution, are we in effect approving of the permitting Mr. Paxton and his colleague to go out to the University of Washington Law School at full pay? Have we approved that concept or not? Do you believe he is covered by it or not by this language?"

Senator Ryder: "Mr. President, the lines which you read, of course, are only part of the resolution. If you would go on down to eleven, twelve, and thirteen, it says 'Whereas the operation of such programs and the benefits which particularly may be derived from them appear to require more precise definition,'"

Senator Dore: "It is your resolution. You are the sponsor. Do you intend to include Mr. Paxton in that language or not, in the language of eight, nine, and ten?"

Senator Ryder: "Mr. Paxton is in the language of the whole resolution surely, and this resolution does not in any way condone the action of the Department of Public Assistance in sending Mr. Paxton to law school."

Debate ensued.

POINTS OF INQUIRY

Senator Bailey: "Will Senator Atwood yield? You are a member of the Budget Committee?"

Senator Atwood: "Yes, and so is Senator Andersen and so is Senator Mardeschich."

Senator Bailey: "I am only interested in you right now. Would it be your intention

then to deprive the Intergovernmental Cooperation Committee of any and all information relating to stipends?"

Senator Atwood: "Not a bit, Senator, but I suggest that they are going to have to use a lot of the data that we already have. No, they can do their own. You have already. . . ."

Senator Bailey: "You have no intention of depriving the Intergovernmental Cooperation Committee of all the data?"

Senator Atwood: "Not a bit, no, as a matter of fact, any of that information down in the budget office is available to any member on this floor regardless of whether he is a member of the committee or not."

Senator Durkan: "Will Senator Atwood yield? Senator, the one thing that I think both resolutions have not addressed themselves to—and I wonder if the Budget Committee would, if we could do it by question and answer—is the determination of whether or not the program should be continued at all."

Senator Atwood: "I think that inheres in the very study, Senator. Neither resolution went that far. We may come up with recommendations that it be terminated at the State Department level. I do not know. Rather than prejudice it on the higher education, K-12, and the community college program. . . ."

Senator Durkan: "Would it be as a member of the committee then you would be willing to recommend it to the chairman and the other members that this be a part of the study?"

Senator Atwood: "Right, I have some other ideas on this that I want to look into."

Senator Greive demanded a roll call and the demand was sustained by Senators Dore, Connor, Atwood, Twigg, Metcalf, Woodall, Holman, Ridder and Ryder.

The Secretary commenced the roll call.

Senator Greive demanded a Call of the Senate.

POINT OF ORDER

Senator Andersen: "My point of order is that a roll call is under way, Mr. President. My understanding of the rules is that you cannot interrupt it for this. I said my understanding. If I am in error, I am sure the President will point it out rather than you, Senator Greive."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order as presented by Senator Andersen finds Rule 11 states 'Although a roll call be in progress, the Call of the Senate may be moved by three senators whose names shall be entered upon the Journal; and if counted by a majority of all present, there. . . .'"

There being no objection, Senator Greive withdrew his demand for a Call of the Senate.

ROLL CALL

The Secretary called the roll and the resolution was not adopted by the following vote: Yeas, 22; nays, 24; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Durkan, Elicker, Faulk, Foley, Guess, Holman, Huntley, Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ryder, Twigg, Williams, Woodall—22.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Francis, Gissberg, Greive, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—24.

Absent or not voting: Senators Henry, Stender—2.

Excused: Senator Lewis (Brian)—1.

NOTICE OF PROTEST

Senator Andersen: "Mr. President, pursuant to Senate Rule No. 26, please be advised that the Republican members of this Senate will be filing a protest within the time limited therein on the manner in which this wave of pure partisanship has overruled standing interim committees of the Senate. I assure Senator Gissberg, who is interested in these matters, that this will be a protest."

MOTION

At 1:25 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, February 4, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 4, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Bill Day, Color Bearer, and Becky Carden presented the Colors. Reverend Glen D. Cole, pastor of the First Assembly of God Church of Olympia, offered prayer as follows:

"Father in heaven, this legislative body has chosen to have prayer in each session. We realize that prayer brings us to the door of God; that this is hallowed ground. We dare not 'ask' or 'seek' without being fully aware that we are approaching the presence of God. Too often, Lord, we dash in and out of Your presence, not fully realizing that You hear us. Sometimes our prayers resemble the mischievous tricks of children who knock at their neighbor's houses and then run away. Forgive us for knocking at Heaven's door and then fleeing before the answer comes. We knock in assurance that You are there, Lord. That You are always present, always waiting there, Lord. That You are always present, always waiting to hear and answer. We seek a moment of personal communion with You just now. Quiet our hearts before Thee. Let us draw strength from this moment of meditation that will sustain us throughout the day. 'We know not what a day may bring forth' so undergird us with Thy power, Thy wisdom and Thy love. This be our prayer together. In Jesus' name, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

February 3, 1970.

ENGROSSED SENATE BILL NO. 19, establishing day care centers in class AA and class A counties (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Canfield, Connor, Donohue, Faulk, Francis, Gissberg, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ridder, Sandison, Stortini, Twigg, Walgren, Washington, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

January 29, 1970.

SENATE BILL NO. 255, relating to the purchase and sale of securities by the state and establishing a state investment council (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 255 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Durkan, Huntley, Lewis (Harry), Marquardt, Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 6, permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Lewis (Brian), Newschwander.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 21, authorizing cities and counties to impose a sales and use tax (reported by committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Canfield, Connor, Day, Donohue, Faulk, Francis, Huntley, McCormack, Marquardt, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Stortini, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

ENGROSSED HOUSE BILL NO. 23, requiring the disclosure of birth defects by adoption agencies (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Connor, Elicker, Greive, McCutcheon, McDougall, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

SUBSTITUTE HOUSE BILL NO. 56, relating to factory built houses (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Durkan, Faulk, Herr, Metcalf.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 63, requiring associations of municipal corporations to submit recommendations for improvements (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Faulk, Mardesich, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Stortini, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 66, implementing law relating to irrigation district local improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, Francis, McDougall, Peterson (Lowell), Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 69, prohibiting the use of prisoner's earnings to defray expenses (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Lewis (Brian), Newschwander.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 118, granting superintendents authority to make payment from patients' accounts (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.
Signed by: Senators Odegaard, Chairman; Elicker, Faulk, Lewis (Brian), Newschwander.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 126, relating to irrigation and reclamation districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, Francis, McDougall, Peterson (Lowell), Ridder, Stortini.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

SUBSTITUTE HOUSE BILL NO. 129, reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Ridder, Chairman; Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Peterson (Ted), Washington.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 145, relating to lawyers' code of ethics (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Foley, Francis, Holman, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 158, including certain nonprofit organizations in definition of "debt adjuster" (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Foley, Francis, Holman, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 164, authorizing first class cities to contract with U.S. under Demonstration Cities and Metropolitan Development Act of 1966 (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Faulk, Francis, Mardesich, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Stortini, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

SUBSTITUTE HOUSE BILL NO. 169, providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters (reported by Committee on Agriculture and Horticulture):

Recommendation: Do pass.

Signed by: Senators Donohue, Chairman; Canfield, Day, Knoblauch, McDougall, Matson, Odegaard, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 203, establishing health care programs for state employees (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Durkan, Faulk, Herr, Metcalf.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 215, establishing salary funds and claims funds for counties (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Herr, Chairman; Wilson, Vice Chairman; Elicker, Faulk, Francis, McDougall, Peterson (Lowell), Peterson (Ted), Stortini, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

ENGROSSED HOUSE BILL NO. 251, providing for deferred retirement allowances (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Herr, Metcalf, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 293, establishing new definitions within the explosive law (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Connor, Herr, Metcalf, Ridder, Stender.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE BILL NO. 304, relating to toll facilities and financing (reported by Committee on Highways):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Elicker, Faulk, Guess, Herr, Lewis (Brian), McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Sandison, Stender, Talley, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, proposing constitutional amendment to lower voting age to eighteen years (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators McCutcheon, Chairman; Donohue, Francis, Greive, Holman, McCormack, Metcalf, Pritchard, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENTS

February 4, 1970.

PATRICK C. COMFORT, to the position of trustee of the Western Washington State College, appointed by the Governor on January 2, 1970 for the term ending March 16, 1976, succeeding David G. Sprague (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

MILLARD B. HODGES, to the position of trustee of the Western Washington State College, appointed by the Governor on August 15, 1969 for the term ending March 16, 1976, succeeding Joseph Pemberton (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

MRS. FRED BUTTERWORTH (RITAJEAN), to the position of trustee of the Western Washington State College, appointed by the Governor on August 15, 1969 for the term ending March 16, 1976, succeeding Bernice Hall (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

BARBARA R. NELSON, to the position of trustee of the Eastern Washington State College, appointed by the Governor on October 24, 1969 for the term ending March 1, 1976, succeeding Melvin Voorhees (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

MERLE HAFFNER, to the position of trustee of the Eastern Washington State College, appointed by the Governor on September 30, 1969 for the term ending September 30, 1975, succeeding himself (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

DR. W. EUGENE BRAIN, to the position of member of the board of trustees, Central Washington State College, appointed by the Governor on September 11, 1969 for the term ending March 1, 1976, succeeding Archie Wilson (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

DR. WILLIAM HOOPER, to the position of member of the board of trustees, Central Washington State College, appointed by the Governor on September 11, 1969 for the term ending March 1, 1976, succeeding Roy Wahle (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

E. ROBERT FRISTOE, to the position of member of the Higher Education Personnel Board, appointed by the Governor on July 24, 1969 for the term ending July 1, 1971 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

FRANK CLEARY, to the position of member of the Higher Education Personnel Board, appointed by the Governor on July 24, 1969 for the term ending July 1, 1975 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

GLEN R. NORMAN, to the position of member of the Higher Education Personnel Board, appointed by the Governor on July 24, 1969 for the term ending July 1, 1973 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.
 Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Lewis (Harry), McCormack, Ryder, Williams, Wilson.
 Passed to Committee on Rules and Joint Rules.

LETTER OF INFORMATION

February 4, 1970.

HONORABLE JOHN CHERBERG
 PRESIDENT OF THE SENATE
 LEGISLATIVE BUILDING
 OLYMPIA, WASHINGTON 98501

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

- *HOUSE BILL NO. 21: Sales tax, cities, counties, imposition.
- *HOUSE BILL NO. 26: Open space, current usage assessment.

Sincerely,
 MIKE McCORMACK
 Chairman, Committee on Revenue and Taxation.

*with amendments

MESSAGE FROM THE HOUSE

February 3, 1970.

Mr. President: The House has passed:
 ENGROSSED SENATE BILL NO. 18,
 ENGROSSED SENATE BILL NO. 288,
 SENATE JOINT MEMORIAL NO. 3,
 and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 18,
 SENATE BILL NO. 288,
 SENATE JOINT MEMORIAL NO. 3.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 5, by Senators Washington, Bailey, Elicker, Holman, Day and Greive:
 Providing for interstate coordination.
 Referred to Committee on State Government.

SECOND READING

ENGROSSED HOUSE BILL NO. 74, by Representatives Morrison, O'Brien, Fleming, Charette, Bagnariol, Gladder, Shera, Kuehne, Richardson and Ceccarelli (by Public Employees' Retirement System and Public Pension Commission request):
 Relating to the retirement and pensions of law enforcement officers and fire fighters.
 The bill was read the second time by sections.

Senator Woodall moved adoption of the following amendment:

On page 2, section 1, line 22 after "or deputy marshal" insert "; or prosecuting attorney or deputy prosecuting attorney"

Debate ensued.

On motion of Senator Talley, the amendment by Senator Woodall was laid upon the table.

On motion of Senator Williams, the rules were suspended, Engrossed House Bill No. 74 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 74, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED HOUSE BILL NO. 74, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

Senator Sandison moved that the appointment of MRS. JEAN BAKKE as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF MRS. JEAN BAKKE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GEORGE DUECY as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF GEORGE DUECY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JOHN L. HAGENSON as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF JOHN L. HAGENSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of MRS. RUTH SHEPHERD as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF MRS. RUTH SHEPHERD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of AVERY PEYTON as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF AVERY PEYTON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of EVERT LANDON as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF EVERT LANDON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of JOHN R. HENRY as a trustee of the State Board for Community College Education be now confirmed.

The motion carried.

APPOINTMENT OF JOHN R. HENRY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GERALD A. HUNT as a member of the board of Community College District No. 1 (Peninsula Community College) be now confirmed.

The motion carried.

APPOINTMENT OF GERALD A. HUNT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HENRY V. CHARNELL, JR. as a member of the board of Community College District No. 1 (Peninsula Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HENRY V. CHARNELL, JR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HARRY T. HUNT as a member of the board of Community College District No. 1 (Peninsula Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HARRY T. HUNT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of BOYD RUPP as a member of the board of Community College District No. 1 (Peninsula Community College) be now confirmed.

The motion carried.

APPOINTMENT OF BOYD RUPP

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HARRIS JOHNSON as a member of the board of Community College District No. 1 (Peninsula Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HARRIS JOHNSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. WILLIAM J. MCKINNEY as a member of the board of Community College District No. 2 (Grays Harbor Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. WILLIAM J. MCKINNEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HARRY C. JAMES as a member of the board of Community College District No. 2 (Grays Harbor Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HARRY C. JAMES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of OLIVER TIBBETTS as a member of the board of Community College District No. 2 (Grays Harbor Community College) be now confirmed.

The motion carried.

APPOINTMENT OF OLIVER TIBBETTS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of EDWIN VAN SYCKLE as a member of the board of Community College District No. 2 (Grays Harbor Community College) be now confirmed.

The motion carried.

APPOINTMENT OF EDWIN VAN SYCKLE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of LAWRENCE WEINSTEIN as a member of the board of Community College District No. 2 (Grays Harbor Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LAWRENCE WEINSTEIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. BRUCE CRASWELL as a member of the board of Community College District No. 3 (Olympic Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. BRUCE CRASWELL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JOHN O'NEILL as a member of the board of Community College District No. 3 (Olympic Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JOHN O'NEILL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of LOUIS SORIANO as a member of the board of Community College District No. 3 (Olympic Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LOUIS SORIANO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GORDON L. FARRAR as a member of the board of Community College District No. 3 (Olympic Community College) be now confirmed.

The motion carried.

APPOINTMENT OF GORDON L. FARRAR

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JOHN STRACHAN as a member of the board of Community College District No. 3 (Olympic Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JOHN STRACHAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of H. P. CREEL as a member of the board of Community College District No. 4 (Skagit Valley Community College) be now confirmed.

The motion carried.

APPOINTMENT OF H. P. CREEL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of NORMAN H. DAHLSTEDT as a member of the board of Community College District No. 4 (Skagit Valley Community College) be now confirmed.

The motion carried.

APPOINTMENT OF NORMAN H. DAHLSTEDT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. J. W. McCANN as a member of the board of Community College District No. 4 (Skagit Valley Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. J. W. McCANN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day,

Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. RICHARD M. HOAG as a member of the board of Community College District No. 4 (Skagit Valley Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. RICHARD M. HOAG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of NORMAN P. OLDENBURG as a member of the board of Community College District No. 4 (Skagit Valley Community College) be now confirmed.

The motion carried.

APPOINTMENT OF NORMAN P. OLDENBURG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of EDWARD S. BORDSEN as a member of the board of Community College District No. 5 (Everett Community College) be now confirmed.

The motion carried.

APPOINTMENT OF EDWARD S. BORDSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ARCHIE BAKER as a member of the board of Community College District No. 5 (Everett Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ARCHIE BAKER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of RAMON J. GOULD as a member of the board of Community College District No. 5 (Everett Community College) be now confirmed.

The motion carried.

APPOINTMENT OF RAMON J. GOULD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. ANNE NELSKOG as a member of the board of Community College District No. 5 (Everett Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. ANNE NELSKOG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. ARNE G. HANSEN as a member of the board of Community College District No. 5 (Everett Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. ARNE G. HANSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of P. CAMERON DeVORE as a member of the board of Community College District No. 6 (Seattle Community College) be now confirmed.

The motion carried.

APPOINTMENT OF P. CAMERON DeVORE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MARVIN E. GLASS as a member of the board of Community College District No. 6 (Seattle Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MARVIN E. GLASS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ARTHUR SIEGAL as a member of the board of Community College District No. 6 (Seattle Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ARTHUR SIEGAL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JAMES SULLIVAN as a member of the board of Community College District No. 6 (Seattle Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JAMES SULLIVAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. ROY S. MAR as a member of the board of Community College District No. 6 (Seattle Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. ROY S. MAR

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. INA V. KNUTSEN as a member of the board of Community College District No. 7 (Shoreline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. INA V. KNUTSEN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ROBERT V. LEONARD as a member of the board of Community College District No. 7 (Shoreline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ROBERT V. LEONARD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DON C. McCHESNEY as a member of the board of Community College District No. 7 (Shoreline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DON C. McCHESNEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of BEN WOOD, JR. as a member of the board of Community College District No. 7 (Shoreline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF BEN WOOD, JR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of PINCKNEY M. ROHRBACK as a member of the board of Community College District No. 7 (Shoreline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF PINCKNEY M. ROHRBACK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of C. W. DUFFY as a member of the board of Community College District No. 8 (Bellevue Community College) be now confirmed.

The motion carried.

APPOINTMENT OF C. W. DUFFY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of C. E. ROBISON as a member of the board of Community College District No. 8 (Bellevue Community College) be now confirmed.

The motion carried.

APPOINTMENT OF C. E. ROBISON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ROY S. PETERSON as a member of the board of Community College District No. 8 (Bellevue Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ROY S. PETERSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. HARRIETT S. JAQUETTE as a member of the board of Community College District No. 8 (Bellevue Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. HARRIETT S. JAQUETTE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of REVEREND ROBERT F. HAYMAN as a member of the board of Community College District No. 8 (Bellevue Community College) be now confirmed.

The motion carried.

APPOINTMENT OF REVEREND ROBERT F. HAYMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of VINCENT MENNELLA as a member of the board of Community College District No. 9 (Highline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF VINCENT MENNELLA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. SHIRLEY S. MURRAY as a member of the board of Community College District No. 9 (Highline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. SHIRLEY S. MURRAY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DAVID LUNDBERG as a member of the board of Community College District No. 9 (Highline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DAVID LUNDBERG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of EDWARD LEPENSKE as a member of the board of Community College District No. 9 (Highline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF EDWARD LePENSKE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of REID E. HALE as a member of the board of Community College District No. 9 (Highline Community College) be now confirmed.

The motion carried.

APPOINTMENT OF REID E. HALE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. RICHARD A. EIDAL as a member of the board of Community College District No. 10 (Green River Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. RICHARD A. EIDAL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. SPENCER W. SHAW as a member of the board of Community College District No. 10 (Green River Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. SPENCER W. SHAW

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HUGH L. MATHEWS as a member of the board of Community College District No. 10 (Green River Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HUGH L. MATHEWS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of WILLIAM F. KENNELLY as a member of the board of Community College District No. 10 (Green River Community College) be now confirmed.

The motion carried.

APPOINTMENT OF WILLIAM F. KENNELLY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ROBERT OLSON as a member of the board of Community College District No. 10 (Green River Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ROBERT OLSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JAMES A. DAVIS as a member of the board of Community College District No. 11 (Clover Park Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JAMES A. DAVIS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day,

Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MERRILL A. YOUNG as a member of the board of Community College District No. 11 (Clover Park Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MERRILL A. YOUNG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. JACK ERICKSON as a member of the board of Community College District No. 11 (Clover Park Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. JACK ERICKSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of WALLACE HAGER as a member of the board of Community College District No. 11 (Clover Park Community College) be now confirmed.

The motion carried.

APPOINTMENT OF WALLACE HAGER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GORDON S. GASPARD as a member of the board of Community College District No. 11 (Clover Park Community College) be now confirmed.

The motion carried.

APPOINTMENT OF GORDON S. GASPARD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of VERNON L. MARTIN as a member of the board of Community College District No. 12 (Centralia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF VERNON L. MARTIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of A. T. KOENNINGER, JR. as a member of the board of Community College District No. 12 (Centralia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF A. T. KOENNINGER, JR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ERNEST HAMILTON as a member of the board of Community College District No. 12 (Centralia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ERNEST HAMILTON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Absent or not voting: Senator Odegaard—1.

Senator Sandison moved that the appointment of MRS. ANNE M. CALDWELL as a member of the board of Community College District No. 12 (Centralia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. ANNE M. CALDWELL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GEORGE WARREN as a member of the board of Community College District No. 12 (Centralia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF GEORGE WARREN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of HERBERT C. URIE as a member of the board of Community College District No. 13 (Lower Columbia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF HERBERT C. URIE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. WARD H. SMITH as a member of the board of Community College District No. 13 (Lower Columbia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. WARD H. SMITH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of WILLIAM L. BRIGMAN as a member of the board of Community College District No. 13 (Lower Columbia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF WILLIAM L. BRIGMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ERIC FEASEY as a member of the board of Community College District No. 13 (Lower Columbia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ERIC FEASEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ABE J. MARTIN as a member of the board of Community College District No. 13 (Lower Columbia Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ABE J. MARTIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of RONALD KEIL as a member of the board of Community College District No. 14 (Clark Community College) be now confirmed.

The motion carried.

APPOINTMENT OF RONALD KEIL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of LOYD HINDS, SR. as a member of the board of Community College District No. 14 (Clark Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LOYD HINDS, SR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of RICHARD E. LAWTON as a member of the board of Community College District No. 14 (Clark Community College) be now confirmed.

The motion carried.

APPOINTMENT OF RICHARD E. LAWTON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of CLARENCE IRWIN as a member of the board of Community College District No. 14 (Clark Community College) be now confirmed.

The motion carried.

APPOINTMENT OF CLARENCE IRWIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. BETTY J. MAGE as a member of the board of Community College District No. 14 (Clark Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. BETTY J. MAGE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ROSS A. HEMINGER as a member of the board of Community College District No. 15 (Wenatchee Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ROSS A. HEMINGER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. ROBERT N. KINTNER as a member of the board of Community College District No. 15 (Wenatchee Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. ROBERT N. KINTNER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. JOSEPH BEALL as a member of the board of Community College District No. 15 (Wenatchee Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. JOSEPH BEALL

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day,

Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. MERILYNN A. WILSON as a member of the board of Community College District No. 15 (Wenatchee Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. MERILYNN A. WILSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JOAN LUDWICK as a member of the board of Community College District No. 15 (Wenatchee Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JOAN LUDWICK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ALEX DECCIO as a member of the board of Community College District No. 16 (Yakima Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ALEX DECCIO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of W. ZEKE SMITH as a member of the board of Community College District No. 16 (Yakima Community College) be now confirmed.

The motion carried.

APPOINTMENT OF W. ZEKE SMITH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of YOSHIO HATA as a member of the board of Community College District No. 16 (Yakima Community College) be now confirmed.

The motion carried.

APPOINTMENT OF YOSHIO HATA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of PAUL RICKMAN as a member of the board of Community College District No. 16 (Yakima Community College) be now confirmed.

The motion carried.

APPOINTMENT OF PAUL RICKMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of MRS. RUTH F. MOTTLEY as a member of the board of Community College District No. 16 (Yakima Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. RUTH F. MOTTLEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of LEONARD STUBBS as a member of the board of Community College District No. 17 (Spokane Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LEONARD STUBBS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of BRYANT SMICK as a member of the board of Community College District No. 17 (Spokane Community College) be now confirmed.

The motion carried.

APPOINTMENT OF BRYANT SMICK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. ELLEN SAX as a member of the board of Community College District No. 17 (Spokane Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. ELLEN SAX

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of THOMAS S. GIBONEY as a member of the board of Community College District No. 17 (Spokane Community College) be now confirmed.

The motion carried.

APPOINTMENT OF THOMAS S. GIBONEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of WALTER L. CLICK as a member of the board of Community College District No. 18 (Big Bend Community College) be now confirmed.

The motion carried.

APPOINTMENT OF WALTER L. CLICK

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. HAROLD L. TRACY as a member of the board of Community College District No. 18 (Big Bend Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. HAROLD L. TRACY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MAX KOHLER as a member of the board of Community College District No. 18 (Big Bend Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MAX KOHLER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ALMA S. GALBREATH as a member of the board of Community College District No. 18 (Big Bend Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ALMA S. GALBREATH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DEAN JUDD as a member of the board of Community College District No. 18 (Big Bend Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DEAN JUDD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of CHARLES E. BOWERS as a member of the board of Community College District No. 19 (Columbia Basin Community College) be now confirmed.

The motion carried.

APPOINTMENT OF CHARLES E. BOWERS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of GUY D. ADAMS as a member of the board of Community College District No. 19 (Columbia Basin Community College) be now confirmed.

The motion carried.

APPOINTMENT OF GUY D. ADAMS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of O. C. ADAMS as a member of the board of Community College District No. 19 (Columbia Basin Community College) be now confirmed.

The motion carried.

APPOINTMENT OF O. C. ADAMS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of LYLE D. PERRIGO as a member of the board of Community College District No. 19 (Columbia Basin Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LYLE D. PERRIGO

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of TERRILL H. DAVIS as a member of the board of Community College District No. 19 (Columbia Basin Community College) be now confirmed.

The motion carried.

APPOINTMENT OF TERRILL H. DAVIS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of LESLIE W. JAMES as a member of the board of Community College District No. 20 (Walla Walla Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LESLIE W. JAMES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of ARDEN ARCHER as a member of the board of Community College District No. 20 (Walla Walla Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ARDEN ARCHER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of I. L. SMITH as a member of the board of Community College District No. 20 (Walla Walla Community College) be now confirmed.

The motion carried.

APPOINTMENT OF I. L. SMITH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of DR. GEORGE W. WOOD as a member of the board of Community College District No. 20 (Walla Walla Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DR. GEORGE W. WOOD

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of LARRY A. BEAULAUER as a member of the board of Community College District No. 20 (Walla Walla Community College) be now confirmed.

The motion carried.

APPOINTMENT OF LARRY A. BEAULAUQUIER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of MRS. E. K. STIMPSON as a member of the board of Community College District No. 21 be now confirmed.

The motion carried.

APPOINTMENT OF MRS. E. K. STIMPSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of STANLEY BRUNNER as a member of the board of Community College District No. 21 be now confirmed.

The motion carried.

APPOINTMENT OF STANLEY BRUNNER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of MRS. T. J. BAY as a member of the board of Community College District No. 21 be now confirmed.

The motion carried.

APPOINTMENT OF MRS. T. J. BAY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of DR. SAM P. KELLY as a member of the board of Community College District No. 21 be now confirmed.

The motion carried.

APPOINTMENT OF DR. SAM P. KELLY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JAMES G. McKELLAR as a member of the board of Community College District No. 21 be now confirmed.

The motion carried.

APPOINTMENT OF JAMES G. McKELLAR

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of JOHN BINNS as a member of the board of Community College District No. 22 (Tacoma Community College) be now confirmed.

The motion carried.

APPOINTMENT OF JOHN BINNS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of CHARLES EDMUNDS as a member of the board of Community College District No. 22 (Tacoma Community College) be now confirmed.

The motion carried.

APPOINTMENT OF CHARLES EDMUNDS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

Senator Sandison moved that the appointment of MRS. MAXINE MYERS as a member of the board of Community College District No. 22 (Tacoma Community College) be now confirmed.

The motion carried.

APPOINTMENT OF MRS. MAXINE MYERS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of ROBERT M. YAMASHITA as a member of the board of Community College District No. 22 (Tacoma Community College) be now confirmed.

The motion carried.

APPOINTMENT OF ROBERT M. YAMASHITA

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

Senator Sandison moved that the appointment of DEWEY H. TUGGLE, JR. as a member of the board of Community College District No. 22 (Tacoma Community College) be now confirmed.

The motion carried.

APPOINTMENT OF DEWEY H. TUGGLE, JR.

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

MOTION

On motion of Senator Greive, Senator McCormack was excused.

SECOND READING

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

Correcting code sections relating to revenue and taxation.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 34 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 34, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Durkan, McCutcheon, Pritchard—3.

Excused: Senator McCormack—1.

HOUSE BILL NO. 34, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to motor vehicles.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 35 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 35, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—43.

Absent or not voting: Senators Durkan, Henry, Keefe, McCutcheon, Talley—5.

Excused: Senator McCormack—1.

HOUSE BILL NO. 35, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to elections.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 36 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 36, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Durkan, Keefe, Pritchard, Ryder—4.

Excused: Senator McCormack—1.

HOUSE BILL NO. 36, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to metropolitan municipal corporations.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 37 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 37, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—43.

Absent or not voting: Senators Durkan, Keefe, McCutcheon, Pritchard, Ryder—5.

Excused: Senator McCormack—1.

HOUSE BILL NO. 37, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to state government.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 38 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 38, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr,

Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Durkan, Keefe, Pritchard, Ryder—4.

Excused: Senator McCormack—1.

HOUSE BILL NO. 38, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to intoxicating liquor.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 39 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 39, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Matson, Pritchard, Ryder—3.

Excused: Senator McCormack—1.

HOUSE BILL NO. 39, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:00 noon, on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Andersen, Senator Twigg was excused.

MESSAGE FROM THE HOUSE

February 4, 1970.

Mr. President: The Speaker has signed:

HOUSE JOINT MEMORIAL NO. 2,

HOUSE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
 HOUSE JOINT MEMORIAL NO. 2,
 HOUSE JOINT MEMORIAL NO. 3.

SECOND READING

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

Correcting code sections relating to public lands.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 40 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 40, and the bill passed the Senate by the following vote: Yeas, 41; absent or not voting, 7; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Walgren, Washington, Williams, Wilson, Woodall—41.

Absent or not voting: Senators Cooney, Donohue, Greive, Keefe, Matson, Pritchard, Talley—7.

Excused: Senator Twigg—1.

HOUSE BILL NO. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Correcting code sections relating to education code.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 41 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 41, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 8; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Walgren, Washington, Williams, Wilson, Woodall—40.

Absent or not voting: Senators Cooney, Donohue, Durkan, Greive, Keefe, Matson, Pritchard, Talley—8.

Excused: Senator Twigg—1.

HOUSE BILL NO. 41, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Gissberg, House Bill No. 42 was ordered placed at the beginning of the second reading calendar Thursday, February 5, 1970.

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

Authorizing establishment of speed limits for auto stages.

REPORT OF STANDING COMMITTEE

February 2, 1970.

ENGROSSED HOUSE BILL NO. 201, authorizing establishment of speed limits for auto stages (reported by Committee on Highways):

MAJORITY recommendation: Do pass with the following amendment:

On line 1 of the title following "Relating to" strike "speed limits" and insert "the regulation of motor vehicles"

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Dore, Faulk, Foley, Guess, Herr, Huntley, McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Walgren.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

POINTS OF INQUIRY

Senator McDougall: "Will Senator Washington yield? Senator Washington, could you briefly describe the requirements necessary for an individual to drive a bus. I believe that you mentioned that those driving agricultural buses or buses carrying agricultural workers would have to be trained the same as a bus driver."

Senator Washington: "I could not give you all of the requirements. In other words they do have to pass a test and they do have to be certified. They are safe and competent drivers, or they cannot operate a school bus. I have not seen the exact list of requirements, but they do have to take a driving test which is somewhat more rigorous than just the ordinary driving test that a person would have to pass in order to have a license to drive. If they have a large vehicle, they have to demonstrate their ability to handle the large vehicle, to be able to back up and handle it. This is the general requirement."

Senator Peterson (Ted): "Will Senator Washington yield? You did not mention anything about the speed itself. On these buses for schools or say the YMCA has a bus—we had to junk one of them here not long ago because of the steering gear and things like that were in such bad shape—what are you talking about in speed for a bus like that compared to a bus that hauls passengers across state?"

Senator Washington: "With the definition that we put on last year, this bus would come under the same category. It would not be bound by the speed of a truck. It could operate under the speed of passenger vehicles except in the areas which are determined should be at a lower speed, and the operator has been notified by the highway commission. I believe this would only relate to the actual common carrier bus."

Senator Peterson (Ted): "You mean common carrier, not the bus of the school-type bus or somebody like the YMCA that would have a bus that was contributed by someone. That bus would have to pass certain specifications before you could open it up and go that speed on the highway, wouldn't it surely?"

Senator Washington: "I would assume that it would."

Senator Peterson (Ted): "You are not very sure on this."

Senator Washington: "The bus that you are talking about, are you concerned about the speed with which it can drive on the highway?"

Senator Peterson (Ted): "I am concerned about the lives of the other people that are driving on the highway. You can remember that Chelan accident by Lake Chelan years ago where the bus went in with forty or fifty kids, and they ran into another car and killed the people in the car. Now this type of bus should not be traveling at that type of speed. This is what I want to see cut down, but you do not seem to know what speed that bus should go whether it is a school bus or a YMCA bus after school and so on."

Senator Washington: "This bill has nothing to do with the speed of YMCA buses or common carriers, the speed of the buses. We are only talking about the requirements of the drivers and the safety equipment that must be placed on the bus. This bill does not have anything to do with the speed of that particular type of vehicle."

Senator Peterson (Ted): "Well, the way you presented your argument, Senator, this is exactly what I thought you were referring to. You were not specifically referring to the driver. You were referring to the bus or a commercial bus that is hauling passengers and so on."

Senator Washington: "We have two different parts to the bill. The original bill related to the commercial buses which are not required to have the same speed as a truck. Prior to passing the legislation during the last session, they had to follow the truck speed. We did bring in an amendment which would not hold them to that speed, which gave them the right to travel as fast as a passenger vehicle except in areas that would be determined to be dangerous and they should not travel at that speed; but the complication is that in order to post that at the lower speed, you would have to have signs all over the state just for the common carriers. The proposal is in this bill—and it passed the House—that the lower restriction for these common carriers can be made by resolution of the highway commission and then sent by notice to the common carriers telling them where they have to have a lower restricted speed."

Senator Peterson (Lowell): "Will Senator Washington yield? Senator, this bill has moved rather rapidly on us, and I do not have all of the background. By this act we are authorizing the State Commission on Equipment to adopt standards relative to lighting and warning devices similar to school buses. Are we saying in effect that buses that are used to transport agricultural workers are going to have to meet the criteria and all the standards that we have adopted for school buses?"

Senator Washington: "This is correct."

Senator Peterson (Lowell): "In other words any carrier that was transporting agricultural workers would have to have the same inspection, the same lighting, and so forth and would be operated under the same rules and regulations that our school buses in the state are?"

Senator Washington: "This is the intention, yes."

Senator Woodall: "Will Senator Washington yield? Are you saying now that if during the middle of the daytime a farmer has a truck and a truckload of Mexican workers riding between two farms during daylight hours, the truck that they haul them between jobs on is going to have to come up to all of these standards?"

Senator Washington: "Not a truck, they establish it as a bus as they have in a number of areas. It is related to a bus. It has to have facilities for twelve passengers. As I understand it, buses like this are utilized in a number of areas for transporting school children in particular who are working in the fields. It does not relate as I understand it to a truck that would be used incidentally in hauling workers. If someone wants to do that, they would have to have a different law to do it."

Senator Talley: "Will Senator Washington yield? Senator Washington, I think I understand your explanation all right. At home we have a situation where in Longview and Kelso they come out of the state of Oregon with these old school buses and haul the children to the berry fields. If I understand your explanation, these buses would have to meet the same safety standards as the school bus does today."

Senator Washington: "That is correct."

Senator Talley: "Thank you very much. That will be in the record."

Senator Guess: "Will Senator Washington yield? Senator Washington, the other day when we were talking in committee, I brought up the question of the carrier in which the railroad people haul their personnel out to the field. They live in town, and then they go out to the right-of-way where they are going to be working. These buses or trucks that they have have a passenger compartment on them just back of the driver's seat, and I understand that they have a capacity for twelve people. Then they have the work part of the truck back of the passenger compartment or the, yes, the passenger compartment not the driver's compartment. These trucks are not made so that the same lights and same signals could go on the back of this vehicle because it is open, has a tailgate that holds in the picks, shovels, tampers, and things like that. Are we talking about this type of conveyance?"

Senator Washington: "I think there is a possibility that could meet the definition of a bus as you describe it, it does have a regular passenger compartment. I have read the definition, and I think very possibly you might want a corrective amendment if you wish to exclude that particular type of conveyance."

MOTION

Senator Guess moved that Engrossed House Bill No. 201, as amended by the Senate, be placed immediately following House Bill No. 42 on the second reading calendar for Thursday, February 5, 1970.

POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Washington yield? I would only concur with Senator Guess on this particular matter. I think there are other things that should be cleared up, Senator Washington, before we get this particularly in regard to Senator Woodall's query as to where we stand on this measure relative to a bus or perhaps a truck that is being used and whether the truck has to meet the same standards as the school bus or a bus of this type of conveyance. I think we should have these answers tomorrow if we are going to hold it over."

Senator Washington: "In answer to Senator Peterson, the primary need and request for this apparently came from your area. You might check with Representative Berentson and get some more information. This was an amendment placed on by the House. The major purpose of the bill in the beginning and the one that had the primary highway interest is the one relating to the posting of speeds for commercial carriers."

The motion carried. Engrossed House Bill No. 201, as amended by the Senate, was ordered placed immediately following House Bill No. 42 on the second reading calendar for Thursday, February 5, 1970.

MOTION

On motion of Senator Bailey, Engrossed House Bill No. 46 was ordered to hold its place on the second reading calendar for Thursday, February 5, 1970.

SUBSTITUTE HOUSE BILL NO. 220, by Committee on Public Health and Welfare:
Establishing procedures for the sale of surplus public hospital property.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Substitute House Bill No. 220 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 220, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson, Woodall—46.

Absent or not voting: Senators Pritchard, Sandison—2.

Excused: Senator Twigg—1.

SUBSTITUTE HOUSE BILL NO. 220, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 2:20 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, February 5, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 5, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen and Dore. On motion of Senator Atwood, Senator Andersen was excused.

The Color Guard, consisting of Pages Bruce Brown, Color Bearer, and Tammie Moats, presented the Colors. Reverend Glen D. Cole, pastor of First Assembly of God Church of Olympia, offered prayer as follows:

"Heavenly Father, we are reminded of the Scripture that says, 'If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways, then will I hear from heaven and will forgive their sin, and will heal their land.' We recognize in this moment that our nation needs the healing power of prayer; that we as individuals need the forgiveness, the guidance, and the strength of the Almighty. We agree with Tennyson, who wrote, 'More things are wrought by prayer than this world dreams of.' We are told, Heavenly Father, that President Lincoln spent every morning from four to five o'clock in reading the Scriptures and praying. Help us in this twentieth century to avail ourselves more often to the greatest power under heaven, the power of prayer. Sanctify these chambers by your presence today, Lord. Give these men who labor over the affairs of government and consciousness of Divine assistance, without which not a one of us can succeed. Thank you for hearing us and granting our request. In the name of Thy Son, Jesus. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

February 3, 1970.

SENATE BILL NO. 153, enabling cities of first class over 150,000 to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purpose (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Bailey, Connor, Cooney, Day, Donohue, Faulk, Foley, Marquardt, Metcalf, Odegaard, Sandison, Stortini, Walgren, Williams, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

SENATE CONCURRENT RESOLUTION NO. 5, providing for interstate coordination (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Lewis (Harry), McCormack, Marquardt, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

HOUSE BILL NO. 2, requiring unloaded school buses to stop before crossing railroad tracks (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Faulk, Guess, Huntley, Knoblauch, McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 5, creating a tax exemption for sheltered workshops (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Canfield, Day, Donohue, Dore, Faulk, Gissberg, Guess, Mardesich, Marquardt, Ridder, Sandison, Twigg, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Day, Donohue, Faulk, Foley, Gissberg, Huntley, Lewis (Harry), McCormack, Metcalf, Odegaard, Sandison, Twigg, Washington, Wilson, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 51, implementing law relating to pollution of waters by oil (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Elicker, Holman, McCutcheon, McDougall, Newschwander, Odegaard, Peterson (Lowell).

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

HOUSE BILL NO. 72, authorizing interstate purchase of shotguns and rifles (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Durkan, Foley, Francis, Holman, McCormack, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 103, increasing jurisdiction of small claims department of justice courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Ridder, Twigg, Walgren, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

HOUSE BILL NO. 140, establishing a system of state recreational trails (reported by Committee on Natural Resources, Fisheries and Game):

Recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Gissberg, Lewis (Brian), Matson, Metcalf, Odegaard, Peterson (Ted), Sandison, Talley.

Passed to Committee on Rules and Joint Rules for second reading.

February 2, 1970.

HOUSE BILL NO. 142, appropriating funds for maintenance and operation of state highways (reported by Committee on Highways):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Faulk, Guess, Huntley, Knoblauch, Lewis (Harry), McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Walgren.

Passed to Committee on Rules and Joint Rules for second reading.

February 3, 1970.

HOUSE BILL NO. 162, relating to civil disturbance and providing penalties (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Ridder, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

ENGROSSED HOUSE BILL NO. 237, pertaining to the organization and operation of miscellaneous and mutual corporations (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Durkan, Foley, Francis, Holman, McCormack, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

SUBSTITUTE HOUSE BILL NO. 258, establishing the "Human Rights Commission" (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Durkan, Francis, Holman, McCormack, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

ENGROSSED HOUSE BILL NO. 292, pertaining to communications (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Durkan, Foley, Francis, Holman, McCormack, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

February 5, 1970.

ENGROSSED HOUSE BILL NO. 295, pertaining to crimes and criminal procedure (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, McCormack, Ridder.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE BILL NO. 326, permitting state agencies, municipalities, fiduciaries, to invest in "A" rated bonds of specified institutions (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE CONCURRENT RESOLUTION NO. 3, commending the birthday of Dr. Martin Luther King, Jr. (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Lewis (Harry), McCormack, Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

February 4, 1970.

HOUSE CONCURRENT RESOLUTION NO. 4, commending development of Spokane Centennial celebration (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENTS

February 5, 1970.

BAKER FERGUSON, to the position of Member, of the Washington State Highway Commission, appointed by the Governor on July 1, 1969 for the term ending July 1, 1975, succeeding himself (reported by the Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue,

Elicker, Faulk, Guess, Huntley, Knoblauch, Lewis (Harry), McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Walgren.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

EMMETT WATSON, to the position of Member of the State Aeronautics Commission, appointed by the Governor on January 13, 1970 for the term ending December 31, 1974, succeeding Benjamin F. Smith (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

GEORGE W. CORLEY, to the position of Member of the State Aeronautics Commission, appointed by the Governor on December 31, 1969 for the term ending December 31, 1974, succeeding J. Donald Sullivan (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules.

February 4, 1970.

JOHN C. LONG, to the position of Member of the State Aeronautics Commission, appointed by the Governor on December 31, 1969 for the term ending December 31, 1974, succeeding himself (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Atwood, Day, Dore, Henry, Huntley, Lewis (Harry), McCormack, Marquardt, Newschwander, Ryder, Washington.

Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE HOUSE

February 4, 1970.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 68,

SENATE BILL NO. 121,

SENATE BILL NO. 204,

ENGROSSED SENATE BILL NO. 228, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 3, 1970.

Mr. President: The House has passed SENATE BILL NO. 275 with the following amendment:

On page 7, section 7, line 1, after "violation" and before the period, insert the following:

"*PROVIDED, That nothing in this paragraph shall apply to any radio or television broadcasting station which broadcasts, or to any publisher, printer or distributor of any newspaper, magazine, billboard or other advertising medium who publishes, prints or distributes, advertising in good faith without knowledge of its false, deceptive or misleading character*",

and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Woodall, the Senate concurred in the House amendment to Engrossed Senate Bill No. 275.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 275, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Absent or not voting: Senators Dore, Francis-2.
 Excused: Senator Andersen-1.

ENGROSSED SENATE BILL NO. 275, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 68,
 SENATE BILL NO. 121,
 SENATE BILL NO. 204,
 SENATE BILL NO. 228.

SENATE RESOLUTION: 1970-EX-19

By Senators Knoblauch, Faulk, Stortini, McCutcheon, Newschwander and Lewis (Harry):

WHEREAS, The Tacoma Youth Symphony has been selected as one of two American orchestras to represent this nation at the second annual International Festival of Youth Orchestras, to be held August 15 through 30, 1970, at St. Moritz, Switzerland; and

WHEREAS, This one hundred piece orchestra is made up of selected musicians from several Washington counties and has been designated as an official representative of the state of Washington by Governor Daniel J. Evans; and

WHEREAS, This orchestra is one of twelve youth orchestras from throughout the world chosen to participate in this prestigious event; and

WHEREAS, The young people will meet and perform with musicians from Canada, Czechoslovakia, England, Germany, Japan, Netherlands, Norway, Soviet Union, Sweden and Switzerland; and

WHEREAS, Through this shared musical experience with the youth of other nations, the members of the Tacoma Youth Symphony will be ambassadors of good will for the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Senate congratulates the Tacoma Youth Symphony and its outstanding conductor, Mr. C. Irvin Wright, for the diligent work and talent exhibited by their selection; and

BE IT FURTHER RESOLVED, That the Senate encourages the young people of this orchestra to continue their efforts which have culminated in such a fine example of the creativity of our youth; and

BE IT FURTHER RESOLVED, That the Senate offers its best wishes for a successful tour and expresses its firm belief that the state of Washington and our nation will be well represented by the Tacoma Youth Symphony.

On motion of Senator Lewis (Harry), the resolution was adopted.

Senator Gissberg moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-20

By Senators Gissberg, Keefe, Donohue, Day, McCormack, Peterson (Lowell), Connor, Dore, Lewis (Harry), Twigg, Ryder, Woodall and Atwood:

WHEREAS, The heroic and prompt actions of the staff and employees of the Tyece Motor Inn were responsible for the safe removal of the guests during the pre-dawn fire and also resulted in minimizing the loss of personal property; and

WHEREAS, The people of the City of Olympia, and of Thurston County, the Chamber of Commerce and other civic organizations responded in an immediate and overwhelming manner to the emergency occasioned by the pre-dawn fire at the Tyece Motor Inn; and

WHEREAS, The people of the City of Olympia and Thurston County have graciously and unselfishly opened their homes and offered their assistance to the members of this body;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington in extraordinary session of the Forty-First Legislature assembled, that the heartfelt thanks and deep appreciation of this body be communicated to the staff and employees of the Tyece Motor Inn and to the people of the City of Olympia and of Thurston County.

PERSONAL PRIVILEGE

Senator Gissberg: "I want to add the following personal note to this resolution. I really feel that I am here today only because a staff person at the Tye took the effort to come around the second time. The first time there was a rather preliminary notice of noise and knocking on general doors, and I awakened and promptly went back to sleep feeling that it was some type of hilarity. It was only because of the fact that an employee came by the second time and specifically continued knocking until there was a response by me that I feel that I am here today. It was only a few moments after that occurred, that the fire actually engulfed and consumed that portion of the building in which I was staying. I have tried to find out who the lady was who did that, but I have been unable to do so. This is a small measure of expression of my personal gratitude and of the Senate generally, I think, to the fact that the employees there did respond in the fashion that they did without having the proper equipment and the facility to give the kind of warning that should be given in that type of facility. I also want to join in what has been said here previously on the floor with respect to offers on the part of citizens of Olympia to accommodate us because I have personally received several of those offers from people that I have not known. I am sure they have not known me personally. I urge the adoption of the resolution."

The motion carried and the resolution was adopted.

Senator Metcalf moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-21

By Senators Metcalf, Knoblauch, Ridder and Faulk:

WHEREAS, The need for accurate information is of paramount importance and growing year by year; and

WHEREAS, Top level government decision makers, legislators, legislative committees, educators, and boards of education want to improve education, but they do not always have the accurate facts, trends, and projections with which to make proper decisions; and

WHEREAS, Much valuable information is being collected, recorded and reported, but is often not available in useful form to the appropriate people at the right time; and

WHEREAS, Local school districts are making individual efforts in the development of data systems; and

WHEREAS, Implementation of the state-wide educational information system will require the establishment of an information network leading from the data sources to the larger organizational levels; and

WHEREAS, This information network should be designed so that information may flow freely in any volume, form, sequence, or combination required for each user of the system; and

WHEREAS, Several states have recognized the need for providing funds for the development and implementation of comprehensive educational information systems; and

WHEREAS, Progress must be made in developing standard procedures of reporting methods in order to determine adequate levels of information support; and

WHEREAS, The cost of the development of such a coordinated information system must be considered in addition to the cost of operation of the present information system;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the State Superintendent of Public Instruction in concert with the State Data Processing Advisory Council be instructed to develop for presentation to the 1971 Session of the Legislature the plans for and the anticipated cost of: (1) The detailed assessment and determination of information needs at the state level and intermediate and local school district levels; (2) The specific design of a coordinated system for collection and transmitting the needed information, with special attention to (a) the automation of the process, and (b) the potential role of the state-wide system of intermediate school districts (in the operating system); and (3) A pilot test of the system in one or more selected local and intermediate school districts. The Superintendent in concert with the Data Processing Advisory Council, during the process of collecting data for such presentation, shall inform himself of activities related thereto carried on by the Temporary Special Levy Study Commission and the Joint Committee on Education and include in his presentation material thus obtained when pertinent thereto; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit a copy of this Senate Resolution to the State Superintendent of Public Instruction and the State Data Processing Advisory Council.

Debate ensued.

On motion of Senator Gissberg, the resolution was ordered held until the proper order of business on Friday, February 6, 1970.

SECOND READING

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

Updating repealer of old school code, effective when new education codes take effect. The bill was read the second time by sections.

Senator Metcalf moved adoption of the following amendment:

On page 15, line 15, insert as section 3 the following:

“Sec. 3. Section 28A.98.080, chapter 223, Laws of 1969, 1st extraordinary session, and RCW 28A.98.080 are each amended to read as follows: “Title 28A RCW, as amended by chapter 223, Laws of 1969, 1st extraordinary session, shall be effective July 1, [1970] 1971.”

Debate ensued.

POINT OF INQUIRY

Senator Metcalf: “Will Senator Gissberg yield? Senator, then it is your understanding from Representative Charette and Speaker Eldridge that this bill, if amended in any sense, would be killed?”

Senator Gissberg: “Yes, that is my understanding and that is the information I have had communicated to me.”

There being no objection, Senator Metcalf withdrew his proposed amendment.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 42 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 42, and the bill passed the Senate by the following vote: Yeas, 46; nay, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Voting nay: Senator Guess—1.

Absent or not voting: Senator Durkan—1.

Excused: Senator Andersen—1.

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.

Senators Greive, Knoblauch and Mardesich demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Andersen who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, by Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by Executive and Secretary of State request):

Proposing constitutional amendment to lower voting age to eighteen years.

The bill was read the second time by sections.

Senator Stender moved adoption of the following amendment:

On page 1, line 10 after the comma insert “shall be considered to have reached the age of majority and”

Debate ensued.

POINT OF INQUIRY

Senator Knoblauch: "Will Senator Stender yield? Senator, I want to ask you the same question I asked Senator Metcalf the other day. In your amendment are you suggesting that a nineteen year old shall be able to go to a cocktail bar or to a beer tavern the same as the twenty-one year old at the present time?"

Senator Stender: "Absolutely, that is part of the responsibility of adulthood."

Further debate ensued.

Senator Bailey moved that the amendment by Senator Stender be laid upon the table. Senator Dore demanded a roll call and the demand was sustained by Senators Greive, Stender, Marquardt, Ridder, Washington, Canfield, Elicker, Odegaard and McDougall.

ROLL CALL

The Secretary called the roll and the amendment by Senator Stender was laid upon the table by the following vote: Yeas, 36; nays, 13.

Voting yea: Senators Andersen, Atwood, Bailey, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Talley, Walgren, Washington, Williams, Wilson—36.

Voting nay: Senators Canfield, Connor, Cooney, Day, Dore, Durkan, Greive, Guess, Metcalf, Ridder, Stender, Twigg, Woodall—13.

Further debate ensued.

Senators Keefe, Francis and McCutcheon demanded the previous question and the demand was sustained.

On motion of Senator Greive, the rules were suspended, Engrossed House Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 6, and the resolution passed the Senate by the following vote: Yeas, 41; absent or not voting, 8.

Voting yea: Senators Andersen, Atwood, Bailey, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Walgren, Washington, Williams, Wilson—41.

Voting nay: Senators Canfield, Cooney, Guess, Lewis (Brian), Matson, Stender, Twigg, Woodall—8.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, having received the constitutional two-thirds majority, was declared passed.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:00 p.m., on motion of Senator Greive, the Senate recessed until 2:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:45 p.m.

Senator Walgren requested the use of the Senate Chambers immediately upon adjournment for a public hearing scheduled on House Bill No. 239.

POINT OF INQUIRY

Senator Bailey: "Will Senator Walgren yield? Senator, this would be subject to the usual rules that the audience is in the balcony and only the members of the Senate on the floor of the Senate Chamber?"

Senator Walgren: "That is correct."

There being no objection, the request was granted.

SECOND READING

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

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

There being no objection, Senator Andersen was excused.

The bill was read the second time by sections.

On motion of Senator Lewis (Harry), the rules were suspended, Engrossed House Bill No. 46 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Lewis (Harry) yield? Senator, would you please explain this a little more because I have had a number of letters on this bill? I would like for you to tell us just exactly what it does to these people."

Senator Lewis (Harry): "Senator Canfield, I am glad you asked that question. I am glad to explain it as fully as I am able. What this does for the first time, Senator, in many years is bring up the retirement benefits for the state employees. This can be done through the present retirement system on an actuarially sound basis without requiring additional contributions. It would continue to keep those retirement benefits adjusted from year to year.

"It is one which has been long, long overdue. Most of the other areas of retirement have had adjustments at one time or another. I am sure you are familiar with the teachers' situation. In the state employees' area we have, for example, many employees who are living on retirement of forty-eight dollars.

"With the cost of living index rising as it has, there has just been no way that they can continue to survive. I am unable to give you details of the bill, but we did have a full hearing on this bill in the Senate. It is identical to the Senate bill which you voted for which passed this Senate unanimously. I think it should be clearly understood that the Senate has supported this measure and this is merely a repeat and that the House bill has come over."

Further debate ensued.

Senator Metcalf: "Will Senator Lewis (Harry) yield? Senator, I would like to ask just for the record if this bill is recommended by the Pension Commission?"

Senator Lewis (Harry): "Yes, that is correct, Senator Metcalf. The Pension Commission has studied it actuarially and has approved it and supports it."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 46, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Faulk, Henry, Herr, Marquardt—4.

Excused: Senator Andersen—1.

ENGROSSED HOUSE BILL NO. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Requiring associations of municipal corporations to submit recommendations for improvements.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 63 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 63, and the bill passed the Senate by the following vote: Yeas, 43; nay, 1; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Washington, Williams, Wilson, Woodall—43.

Voting nay: Senator Gissberg—1.

Absent or not voting: Senators Henry, Herr, Marquardt, Walgren—4.

Excused: Senator Andersen—1.

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.

PRESIDENT'S PRIVILEGE

The President: "Ladies and gentlemen, Senator Bailey, Chairman of the Democratic caucus and Senator Ryder, Chairman of the Republican caucus, in deference to the fact that the Senate may be in session for quite a lengthy period of time this afternoon, have graciously consented to having the Senate Chambers turned over to Senator Walgren, Chairman of the Committee on State Government, in order that he may hold the hearing on House Bill No. 239 immediately. Therefore, Senator Walgren and his Committee on State Government and those people that are interested may engage in a hearing in the Senate Chamber until 4:50 p.m. this afternoon."

MOTION

At 3:05 p.m., on motion of Senator Bailey, the Senate recessed until 4:50 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 4:50 p.m.

MOTIONS

On motion of Senator McCormack, Senator Greive was excused.

On motion of Senator Washington, Substitute House Bill No. 169 was ordered placed at the beginning of the second reading calendar for Friday, February 6, 1970.

Senator Day moved that the Senate do immediately consider House Bill No. 203.

Debate ensued.

The motion lost on a rising vote.

PERSONAL PRIVILEGE

Senator Bailey: "Personal privilege to tell Senator Day that this was not a dirty trick but there is a mistake on it. This was tomorrow morning's calendar and we thought maybe we would get right into it and we could cover the entire calendar. We did not give the Secretary very good instructions on how to write the heading on it so we did not do this on purpose, Senator Day. We will take care of you in the morning."

Senator Day: "Mr. President, in view of the House calendar, it will be too late tomorrow, gentlemen, to take care of this particular problem so this bill might just as well go back into the Committee on Rules and Joint Rules. I understand that it is a House bill but I also understand that there is a companion bill in the House that is on the calendar. I intended to amend this and if I had known that this particular calendar was for tomorrow, I would not have made the motion. I was instructed by the floor leader that this was the procedure I should follow."

SECOND READING

ENGROSSED HOUSE BILL NO. 304, by Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by executive request):
 Relating to toll facilities and financing.

REPORT OF STANDING COMMITTEE

February 3, 1970.

ENGROSSED HOUSE BILL NO. 304, relating to toll facilities and financing (reported by Committee on Highways):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 12 of the engrossed bill strike all of subsection (1) and insert the following:

"(1) Seven cents shall be distributed between the state, cities, and counties under the provisions of RCW 46.68.090 and 46.100 [, as amended in section 8 of this 1967 amendatory act] : *PROVIDED, That from the effective date of this act through June 30, 1976, six and seven-eighths cents shall be distributed between the state, cities, and counties under the provisions of RCW 46.68.090 and 46.68.100.*"

On page 2, section 3, line 22 of the engrossed bill, strike all of subsection (4) and insert the following:

"(4) One-quarter cent shall be paid to the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350 : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350.*"

On page 3, section 4, line 9 of the engrossed bill strike all of subsections (1), (2), and (3) on lines 9 through 18 of the engrossed bill and insert the following:

"(1) To the cities and towns of the state sums equal to ten and four-tenths percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, there shall be paid to the cities and towns of the state sums equal to ten and fifty-nine hundredths percent of the net tax amount to be paid monthly as the same accrues;*

(2) To the counties of the state sums equal to thirty-two and five-tenths percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, to the counties of the state there shall be paid sums equal to thirty-three and nine hundredths percent of the net tax amount to be paid monthly as the same accrues;*

(3) To the state, to be expended as provided by RCW 46.68.130, sums equal to fifty-seven and one-tenth percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, to the state there shall be paid to be expended as provided by RCW 46.68.130, sums equal to fifty-six and thirty-two hundredths percent of the net tax amount to be paid monthly as the same accrues.*"

On page 4, section 7, line 29, after "ferries" and before the period, insert ": *PROVIDED, That the state highway commission shall issue design and performance specifications calling for design, construct and performance bids and shall report their progress with the same to the joint committee on highways before entering into any other contracts for design or construction of said ferries.*"

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Elicker, Faulk, Guess, Herr, Huntley, Lewis (Brian), McDougall, Marquardt, Peterson (Lowell), Pritchard, Ridder, Sandison, Stender, Talley, Walgren, Williams.

The bill was read the second time by sections.

Senator Washington moved adoption of the committee amendments to page 2, section 3, line 12 and to page 3, section 4, line 9.

POINT OF INQUIRY

Senator Stender: "Will Senator Washington yield? Senator, in looking at these amendments of the cutoff date and realizing this is a bill to authorize the purchase of the ferries and earmarking some money from the motor vehicle fund, what would be accomplished by this amendment? Have you cut it off in the middle of the program?"

Senator Washington: "No, let me explain. The funds actually, a quarter percent, would be going in each year and it is estimated that we will have accrued roughly twenty-six million dollars by 1976 which would be sufficient to complete four boats at that time. Then, of course, there is also the possibility that the federal government will contribute funds so it was felt by the committee that by going to 1976 appropriating sufficient money for four boats, you would not be able to complete the second two. At that time we could re-evaluate the program. This will take care of four boats."

Senator Stender: "A further question if I might ask it, what would be the reason for having this on here now? Why couldn't we, in 1973 make an appraisal of the program and at that time provide for the cutoff when we are a little closer to knowing where we are and what we are doing?"

Senator Washington: "Of course, you could have cutoff dates all the way along. The proposal first was 1975 and then in order to give more flexibility for the Toll Bridge Authority, it was extended to 1976. In other words, to have sufficient money to complete four ferry boats for over twenty-six million dollars. This is a large program. In other words, at this stage we are authorizing a twenty-six million dollar construction program. The committee at the meeting felt that was as far as we should go without having a stopping point to take a look. Once we pass this bill, the program will be under way.

"Of course, there is another amendment that the Toll Bridge Authority and the Highway Commission do check with the Joint Committee on Highways but this seemed to be a very reasonable approach in authorizing a huge amount of money. It was one way to keep some legislative oversight and legislative control over what is going on."

Senator Stender: "This measure provides for the application being made to the federal government for funds out of the mass transit . . ."

Senator Washington: "Correct."

Senator Stender: "What purpose could be served by this amendment as it relates to any applications that may be made to the federal government?"

Senator Washington: "This would have no effect. It would not assist in that particular program but it is very possible that by 1976 if federal funds are available, there will be additional money for the program. There would be the twenty-six million for the four boats and you would perhaps have even federal money by that time for the two boats. We might not have to continue this particular program."

Senator Stender: "As I understand it, Senator Washington, the original programming or planning here is for six new or replacements for new vessels of the present obsolete and worn-out vessels."

Senator Washington: "That is correct."

Senator Stender: "This particular amendment actually has in its effect you might say, cutting that down to four?"

Senator Washington: "Not if the federal government comes in with the additional money."

Senator Stender: "In other words, we could not apply for six vessels at this time with this particular amendment?"

Senator Washington: "I am sure you could. You could get started on six, but what we are guaranteeing here by these funds is that even if the federal government does not participate, you are going to have roughly twenty-six million dollars for four boats even without federal participation. If federal participation comes in, you will have, of course, numbers of millions of dollars of additional money."

MOTION

Senator McCormack moved that Engrossed House Bill No. 304 be held for the second reading calendar for Friday, February 6, 1970.

Debate ensued.

Senator Elicker demanded a roll call. The demand was not sustained.

The motion by Senator McCormack failed on a rising vote.

Further debate ensued.

POINT OF INQUIRY

Senator Stender: "Will Senator Lewis (Brian) yield? Senator, in view of your remarks, I would like to raise a question which is in my mind. Is it your opinion that this 1975 cutoff date in no way cuts the cost of financial planning for the six vessels? You said in 1975 we could again look at it. The program, as I understand it, is designed for six vessels. If this date remains in this bill, doesn't that cut across the planning program prior to 1975?"

Senator Lewis (Brian): "No, Senator, if I can explain as I understand it. It is not necessarily anticipated that all six vessels would be identical in their design configuration because the management of the system and the director would investigate the needs of vessels and the routes to which they would be assigned. Those routes which they see an upcoming need of the first priority would be the first two vessels that would be designed and be constructed. Then they would move into the program for the second two vessels, which may be the same. They may be slightly different and they may be considerably different. Then subsequently, they would move into the program for the final two vessels. As I understood it, they basically contemplate awarding bids two at a time."

Senator Stender: "True, that is correct, but how could you plan or make plans for a vessel that is not authorized when they have a cutoff date on financing as is proposed here?"

Senator Lewis (Brian): "I think there is no problem with that, Senator, because under any combination of circumstances whether there is a time limit on the bill or whether there is not, the money at the state end is not going to be available to spend until 1974 or 1975 anyway. Whether we make the plans now or wait until 1973, we will not have the money accruing in the Puget Sound Capital Construction account until 1975 in any case so we could not award the bids until that date with or without the amendment."

The motion by Senator Washington carried and the committee amendments to page 2, section 3, line 12 and to page 3, section 4, line 9 were adopted.

On motion of Senator Mardesich, the committee amendment to page 2, section 3, line 22 was adopted.

Senator Washington moved adoption of the committee amendment to page 4, section 7, line 29.

On motion of Senator Lewis (Brian) the following amendment by Senators Lewis (Brian) and Washington to the committee amendment was adopted:

On page 4, section 7, line 29, on the last line of the amendment by the committee on highways, strike "design or"

On motion of Senator Washington, the committee amendment as amended was adopted.

On motion of Senator Huntley, the following amendment was adopted:

On page 4, section 8, line 30, strike section 8. Renumber section 9 as section 8. Renumber following section consecutively.

Senator Stender moved adoption of the following amendment:

On page 4, section 8, line 30, insert as section 8 of the bill the following:

"NEW SECTION. Sec. 8. The Washington State Highway Commission shall in preparing bid specifications for vendors interested in construction of the ferries authorized to be purchased by this act, shall in addition to any other specification, require that hourly wage rates and other employee fringe costs to be paid mechanics and laborers employed in the construction of the ferries shall not be less than those established and generally prevailing for such workmen employed in shipyards in Washington State.

Renumber section 8 of the printed bill as section 9. Renumber the following sections consecutively."

Debate ensued.

On motion of Senator Peterson (Lowell), the amendment was laid upon the table.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 304, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 304, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; nay, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Voting nay: Senator Mardesich—1.

ENGROSSED HOUSE BILL NO. 304, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Authorizing establishment of speed limits for auto stages.

The Senate resumed consideration of Engrossed House Bill No. 201, as amended by the Senate, on second reading.

Senator Washington moved adoption of the following amendments:

On page 3, section 3, line 14 after "means every" strike "bus" and insert "motor vehicle designed for the purpose of carrying passengers"

On page 3, section 3, line 16 after "agricultural," and before "religious" strike "business,"

Debate ensued.

The motion carried and the amendments were adopted.

Senator Guess moved adoption of the following amendment by Senators Guess and Washington:

On page 3, new section 3, line 19, after "Commission" add "This act shall not apply to common carriers subject to Part I of the Interstate Commerce Act."

There being no objection, the amendment was withdrawn.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 201, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 201, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Voting nay: Senators Huntley, Matson, Sandison, Woodall—4.

ENGROSSED HOUSE BILL NO. 201, 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.

SUBSTITUTE HOUSE BILL NO. 129, by Committee on Education and Libraries:

Reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents.

REPORT OF STANDING COMMITTEE

February 3, 1970.

SUBSTITUTE HOUSE BILL NO. 129, reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 3, line 9, before "paid" strike "have" and insert "has", and on line 11, after "thereto," and before "paid" strike "have" and insert "has"

Signed by: Senators Ridder, Chairman; Francis, Knoblauch, Marquardt, Metcalf, Odegaard, Peterson (Ted), Washington.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

On motion of Senator Ridder, the rules were suspended, Substitute House Bill No. 129, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 129, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-48.

Absent or not voting: Senator Pritchard-1.

SUBSTITUTE HOUSE BILL NO. 129, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 66, by Representatives Flanagan, Jolly, Benitz, Haussler and Evans: Implementing law relating to irrigation district local improvement districts.

The bill was read the second time by sections.

On motion of Senator Canfield, the rules were suspended, House Bill No. 66 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 66, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Absent or not voting: Senators Herr, Pritchard-2.

HOUSE BILL NO. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Relating to irrigation and reclamation districts.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 126 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 126, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Absent or not voting: Senators Day, Durkan, Pritchard—3.

HOUSE BILL NO. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Authorizing first class cities to contract with U. S. under Demonstration Cities and Metropolitan Development Act of 1966.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, House Bill No. 164 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Dore yield? Senator, should we have some explanation of what those powers, purposes, and programs are that are authorized under that federal act before we give them that authority?"

Senator Dore: "In general to upgrade the metropolitan area in the central core areas of Everett, Seattle or Tacoma, programs like model cities, Head Start and so on. Try to develop hard core unemployment people to get jobs, to upgrade their housing and things of that nature within the purview of the statutory authority. It just gives them the authority to contract within the purview of the statutory acts of our state as they now are."

Senator Peterson (Ted): "Will Senator Dore yield? Senator, you have that program going there now and they are refurbishing, remodeling and doing all that work there. Is this over and above that?"

Senator Dore: "I understand they are doing it now and there was some question whether they had the complete authority to do this. This is statutory authority which will enable them to continue to do and ratify what they are doing. There was some question whether the state law was perhaps in conflict with some of the federal laws."

MOTION

On motion of Senator Gissberg, House Bill No. 164 was ordered to hold its place on the third reading calendar for Friday, February 6, 1970.

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

Establishing new definitions within the explosive law.

The bill was read the second time by sections.

On motion of Senator Stortini, the rules were suspended, Engrossed House Bill No. 293 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Talley: "Will Senator Metcalf yield? Senator, you are aware that there are modern rifles? You do not have to use a muzzle loader anymore."

Senator Metcalf: "That is true but there are some people that really like these old arms. The game department has opened a season for them. I think it is fine for us to allow them to use them. I happen to have a modern rifle, however."

Senator Williams: "Will Senator Metcalf yield? Senator, I notice that the bill, although

it is referring to muzzle loading firearms refers to black powder that is used in those items. Various things can be done with it in the way of transporting it in private vehicles and so on without restrictions, storing it in private residences and so on without restrictions.

"As you know in some of the cities, we are having a considerable problem with explosives and dynamiting of public buildings and other buildings. Could you give me some idea of the power of black powder and the quantities that they are exempting here? I am not talking about the muzzle of the gun now. I am talking about black powder."

Senator Metcalf: "I do not believe it gives it without restrictions, Senator Williams. It allows up to five pounds of black powder, I believe, to be held by any individual shooter. For the amounts more than that for example in a store, it has to be under the requirement. I cannot give you the explosive capability of five pounds of black powder."

Further debate ensued.

Senator Williams: "Will Senator McCormack yield? Senator, are you saying that you cannot make an explosive out of five pounds of black powder?"

Senator McCormack: "No, I am not saying that. I am saying the way it is carried, the way it is transported by somebody going home from the store or to a place where he is going to reload his weapons, his shells, or this sort of thing. It is carried in a thin walled can. That is not an explosive device. If you lit this somehow, which is of course very difficult to do, it would burn rapidly. It would blow the can apart and make a big puff of smoke but it would not be an explosive device in the terms of a stick of dynamite or something like that."

MOTIONS

Senator Williams moved that Engrossed House Bill No. 293 be held on the third reading calendar for Friday, February 6, 1970.

Debate ensued.

Senator Greive moved that the motion by Senator Williams be laid upon the table.

The motion by Senator Greive lost on a rising vote.

The motion by Senator Williams lost on a rising vote.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 293, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; absent or not voting, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Stortini, Talley, Walgren, Washington, Wilson, Woodall—40.

Voting nay: Senators Andersen, Mardesich, Newschwander, Pritchard, Sandison, Stender, Twigg, Williams—8.

Absent or not voting: Senator Durkan—1.

ENGROSSED HOUSE BILL NO. 293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Greive, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 5, 1970.

Mr. President: The Speaker has signed:

SENATE BILL NO. 18,

SENATE BILL NO. 288,

SENATE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted, MALCOLM McBEATH, Chief Clerk.

February 5, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 52, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 5, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 34,
 HOUSE BILL NO. 35,
 HOUSE BILL NO. 36,
 HOUSE BILL NO. 37,
 HOUSE BILL NO. 38,
 HOUSE BILL NO. 39,
 HOUSE BILL NO. 40,
 HOUSE BILL NO. 41,
 HOUSE BILL NO. 74,
 SUBSTITUTE HOUSE BILL NO. 220,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 275,
 HOUSE BILL NO. 34,
 HOUSE BILL NO. 35,
 HOUSE BILL NO. 36,
 HOUSE BILL NO. 37,
 HOUSE BILL NO. 38,
 HOUSE BILL NO. 39,
 HOUSE BILL NO. 40,
 HOUSE BILL NO. 41,
 HOUSE BILL NO. 74,
 SUBSTITUTE HOUSE BILL NO. 220.

MESSAGE FROM THE HOUSE

February 4, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 107 with the following amendments:

On page 1, section 1, line 21, after "involved" and before "then" insert "*through a reduction in said transportation costs for said fifteen year period*"

On page 1, section 1, line 22, after "for" and before "costs" strike "*their*" and insert "*its*"

On page 2, section 2, line 14, after "involved," and before "then" insert "*through a reduction in said transportation costs for said fifteen year period*"

On page 2, section 2, line 15, after "for" and before "costs" strike "*their*" and insert "*its*"

and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Ridder, the Senate concurred in the House amendments to Engrossed Senate Bill No. 107.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 107, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson—45.

Absent or not voting: Senators Cooney, Lewis (Harry), Marquardt, Woodall—4.

ENGROSSED SENATE BILL NO. 107, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:25 p.m., on motion of Senator Greive, the Senate adjourned until 10:15 a.m., Friday, February 6, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 6, 1970.

The Senate was called to order at 10:15 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Williams. On motion of Senator Atwood, Senator Williams was excused.

The Color Guard, consisting of Pages Cliff Fisher, Color Bearer, and Renee McGovern, presented the Colors. Reverend Glen D. Cole, pastor of First Assembly of God Church of Olympia, offered prayer as follows:

"This morning, Heavenly Father, we enter Your presence with grateful hearts. We are thankful for your interest in us as individuals. The Bible informs us that 'the very hairs of our head are numbered.' We thank you, also, for your interest in our state and our nation. We solicit help in this moment for the decisions and actions of this day. We know there is no limit to what you can do. Long before we had our radar you furnished the bat with this sound equipment. Furnish us today with good judgment, with deep concern for the needs of others. Grant Thy blessing upon the servicemen in Viet Nam. Sustain them. Give them courage and grant, Oh God, a speedy end to this conflict. We commit this day, its duties, its challenges into Thy hands. For Divine assistance we again say, 'Thanks'. In the name of Christ, our Lord, we pray. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEE

February 5, 1970.

HOUSE BILL NO. 242, relating to the commission on higher education (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Donohue, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

February 6, 1970.

HOUSE CONCURRENT RESOLUTION NO. 5, directing a review of teacher preparation program of public and private institutions of higher education (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Holman, Huntley, Lewis (Harry), Ryder, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

JOURNAL OF THE SENATE

MESSAGE FROM THE GOVERNOR

Office of the Governor.
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointments to the Position of Member, Council on Higher Education, subject to your confirmation:

1. Goodwin Chase, appointed August 15, 1969 for a term ending June 30, 1971.
2. John Mosier, appointed August 15, 1969 for a term ending June 30, 1971.
3. Harry Prior, appointed August 15, 1969 for a term ending June 30, 1971.
4. Leon Bridges, appointed August 15, 1969 for a term ending June 30, 1973.
5. Mrs. David Gaiser, appointed August 15, 1969 for a term ending June 30, 1973.
6. Richard P. Wollenberg, appointed August 15, 1969 for a term ending June 30, 1973.
7. Rev. Mineo Katagiri, appointed August 15, 1969 for a term ending June 30, 1975.
8. Mr. Marion E. Wilson, appointed August 15, 1969 for a term ending June 30, 1975.
9. J. Scott Barron, appointed August 15, 1969 for a term ending June 30, 1975.

Sincerely,
DANIEL J. EVANS
Governor.

MESSAGES FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 127, and the same is here with transmitted. MALCOLM McBEATH, Chief Clerk.

February 5, 1970.

Mr. President: The House has passed:
ENGROSSED SENATE BILL NO. 27,
SENATE BILL NO. 67,
SENATE BILL NO. 126,
SENATE BILL NO. 243,
ENGROSSED SENATE BILL NO. 277,
and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 6, by Senators Bailey, Atwood, Ryder, and Greive:

Extending time for consideration of revenue and budget measures.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

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

Providing minimum pension for certain pensioners under supreme court judges' retirement act.

Referred to Committee on Labor and Social Security.

MOTION

On motion of Senator Metcalf, Senate Resolution 1970-EX-21 was made a special order of business at 11:05 a.m. today.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 52.

Senator Durkan moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-22

By Senators Peterson (Lowell), Day, Durkan, Atwood, Dore and McCormack:

WHEREAS, Air pollution is a major hazard to the health and well-being of the inhabitants of our state; and

WHEREAS, The majority of authorities recognize that the major source of air pollutants is from automobile exhaust systems; and

WHEREAS, Great damage has been done to the resources of the state of Washington and will continue unless such source of pollutants is abated and eliminated; and

WHEREAS, The Federal Government obtained a consent decree against the automobile manufacturers in September, 1969 on conspiracy charges; and

WHEREAS, The statute of limitation will preclude the filing of a suit after September, 1970; and

WHEREAS, Several states have instituted proceedings against automobile manufacturers for damages to their states and for abatement of such nuisance; and

WHEREAS, No action has been taken to date by the state of Washington to abate this hazard and to recover damages for the injury already done to our environment;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Attorney General of this state be hereby requested to investigate and determine whether such suit can be brought in behalf of the state of Washington against all automobile manufacturers, to abate the introduction and use of automobile exhaust systems which pollute the air and environment and for recovery of all damages previously incurred by the state of Washington; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate immediately transmit a copy of this resolution to the Attorney General of the state of Washington.

POINTS OF INQUIRY

Senator McDougall: "Will Senator Durkan yield? Senator, I read the resolution. While I am not standing here today to defend the auto manufacturers of the nation, I am also somewhat concerned that despite the fact that we are having tremendous problems in the field of air pollution that all of a sudden we, who have been purchasing these automobiles for years and years, now are laying most of the blame on the manufacturers of these automobiles for some of the pollution problems that we have. I, not being a lawyer, am somewhat concerned about the full implication of these suits which I understand not only have been instituted here but throughout the United States. Would you elaborate on what is the benefit of instigating any of these suits?"

Senator Durkan: "This is a civil action which will be brought. The automobile manufacturers already pleaded guilty to a conspiracy on a criminal action by the federal government in the area of the exhaust fumes. The only thing that we are saying here is that if a civil action does lie for the pollution of the air, we are instructing or asking the attorney general to take such action to protect the state of Washington and the people who drive the cars. I do not think that the automobile purchasers are to blame for the fact that the manufacturers have not produced a suitable exhaust filter which will take care of pollution and this is what we are saying when we ask and voice our concern. We are not trying to take on an industry. What we are pointing out is that they have already said in effect that they recognize that they are guilty. What we are saying now is if there is a civil action that we should pursue it. It is not any different than any other antitrust suit that the state of Washington has pursued in the past and has recovered substantial damages."

Senator Guess: "Will Senator Durkan yield? Senator, is there any possibility or danger of the guilt of the automobile companies, if so decided, from them falling upon the back of each person who owns and drives an automobile?"

Senator Durkan: "I do not think so. I think what we are going to do by such an action and what we have been attempting to do in passing environmental legislation in this session of the legislature and in the past is that we are trying to gently force those polluters of our environment to conform and to bring about the cleaning up of the environment. I think this is what this action is going to do."

The motion carried and the resolution was adopted.

Senator Mardesich moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-23

By Senators Mardesich and Ryder:

WHEREAS, It is the declared policy of this state that its welfare depends on the welfare of its industry and even more upon the welfare of its wage earners; and

WHEREAS, It is against such policy that the remedies of workmen for injuries received in the course of hazardous work be uncertain, slow, and inadequate; and

WHEREAS, The people of this state and the Senate have been made aware of certain deficiencies in the operation and administration of this state's current industrial insurance and workmen's compensation laws by such articles as those written by Lyle Burt and published in the Seattle Times in December of 1969; and

WHEREAS, It has become increasingly evident the current operation and administration of such laws is so deficient that in one case it took a widow over four years to recover on a claim based on her husband's death; and

WHEREAS, In most cases, claims for industrial insurance benefits are not decided and finally settled for at least two years after they arise and it is not unusual for a claimant to wait at least four years for relief; and

WHEREAS, The Senate has long recognized the fundamental right to trial by jury as an inalienable right of claimants under such laws; and

WHEREAS, Neither the state, nor labor, nor business can agree on recommendations designed to correct these needless delays and harmful inconveniences consequently causing the wage worker to suffer great harm;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Interim Committee on Banking, Insurance, and Transportation conduct a study on this state's industrial insurance and workmen's compensation laws and their administration by the state Department of Labor and Industries including an investigation of the claims and appeals procedure developed by the State Board of Industrial Insurance Appeals and make recommendations based on the results of such study to the legislature in the 1971 session.

MOTION

Senator Greive moved that the resolution be held in its proper position until Saturday, February 7, 1970.

Debate ensued.

POINT OF INQUIRY

Senator Peterson (Ted): "Will Senator Mardesich yield? Senator, I am interested in your statistics because we are told and the report says that they are processing these cases rapidly and have speeded the operation up. Do you have any idea as to the date this report might come, Senator?"

Senator Mardesich: "I have here a number of examples. I will read you some of the dates and happenings with respect to one particular case. It was a worker, a truck driver, who was killed in an accident on October 4, 1965. It was the widow who filed a claim within ten days of the accident and very shortly after that the department of labor and industries filed a reply indicating that they felt the man had not been injured in an accident falling within the context of the law. Her attorney appealed to the State Board of Industrial Insurance Appeals. They held their first hearing on February 17, 1966 and it was continued by the board's hearing examiner until July 19, 1966, postponed for six months. On December 8 again they were unable to find certain witnesses and the examiner put the matter off until March 17, 1967.

"Finally on that March 17 date, he refused to grant any further continuances and the matter was at least brought up so that the department presented its case. It was not until June 27, 1967, that the department upheld the hearing examiner's report and the attorney directly appealed.

"It was forty-nine months after the death of the man that this widow was finally able to get a settlement for the death of her husband. There are a number of such cases. Now I do not know whose fault it was but if this is what we are calling a proper procedure and good results, then I think we had better take a look at what is going on over there."

Further debate ensued.

The motion by Senator Greive carried. Senate Resolution 1970-EX-23 was placed under the proper order of business for Saturday, February 7, 1970.

MOTION

At 10:50 a.m., on motion of Senator Bailey, the Senate recessed until 11:55 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 11:55 a.m.

There being no objection, the Senate returned to the third order of business.

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 10, 1970.
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment to the Position of Member, Liquor Control Board, subject to your confirmation:

Don Eldridge, appointed for a term commencing March 12, 1970 and ending January 15, 1979, succeeding Garland Sponburgh.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to the Committee on Liquor Control.

PERSONAL PRIVILEGE

Senator Lewis (Harry): "I would just like to speak very briefly. Mr. President, I had hoped that this appointment by the Governor could have been handled quickly on the floor because Don Eldridge is Speaker of the House of Representatives. I do, however, respect the wishes of the majority, who have the control over this confirmation, in their wishes to assign it to committee and hope that we will see speedy action on it."

SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Senate Resolution 1970-EX-21.

MOTIONS

On motion of Senator Metcalf, Senate Resolution 1970-EX-21 was made a special order of business for Saturday, February 7, 1970.

On motion of Senator Durkan, Engrossed Substitute House Bill No. 51 was made a special order of business for 2:00 p.m. today.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 169, by Committee on Agriculture:

Providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters.

The bill was read the second time by sections.

On motion of Senator Wilson, the following amendment was adopted:

On page 1, section 1, line 7, strike all the matter beginning on line 7, down through "misdemeanor" on line 11 and insert:

"Any person who injures or kills by shooting or poisoning any horse, mule, cattle, sheep, swine, or goat without the permission of the owner thereof and who does not commit grand larceny as defined by RCW 9.54.090 shall be guilty of a gross misdemeanor"

On motion of Senator Washington, the following amendment was adopted on a rising vote:

On page 1, section 2, strike everything after "shall" on line 17 down to and including "standards" on line 19 and insert:

"adopt rules and regulations for weighing of such commodities by weighmasters. In establishing such rules and regulations"

On motion of Senator Huntley, the following amendment was adopted:

On page 1, section 2, line 21, after "weighmasters and" strike "weighers" and insert "other persons"

Senator Woodall moved adoption of the following amendment:

On page 1, section 2, beginning on line 12, strike all of section 2.

POINTS OF INQUIRY

Senator Stender: "Will Senator Woodall yield? Senator, you alluded to the experience of some years back when the appropriation measure was under the same question that this question is here now. Is it my understanding that the courts ruled later that the bill was unconstitutional, in fact, because of this very instance?"

Senator Woodall: "Yes, and we had to have an extraordinary session."

Senator Stender: "One further question, if this bill were to pass in this present form and someone shot a cow, the case came to court and the defendant lawyer would question the legality of this statute, would that probably serve as a base for a defendant to keep from getting convicted under this?"

Senator Woodall: "Yes, I feel under the language of the case, Judge Hill wrote the opinion, clearly doing this, I feel it would not withstand a constitutional challenge."

Further debate ensued.

Senator Canfield: "Will Senator Washington yield? Senator, I know that there has been a lot of interest in this section one. I do not think I need to go into the reasons why and I support Senator Donohue in this section one. Section two is a good section also and something which could very well be needed and I think it is. My question to you is this, that under your interpretation that anything referring to agriculture could go under one bill, would you put the grading of apples, migrant housing, irrigation law and everything else and attach it to this bill under the same line of reasoning?"

Senator Washington: "I think it would perhaps depend on how the matter was presented but I certainly believe in this particular context. These two subjects are certainly compatible."

Further debate ensued.

Senator McCutcheon: "Will Senator Washington yield? Is this germane—I have heard that expression in various sessions here—this amendment, I mean, Senator Washington's amendment?"

Senator Washington: "What we are talking about here is not an amendment. We are talking about a substitute bill which was sent over from the House. We are not talking about Senator Wilson's bill which was the Senate bill and was sent over to the House. We are talking about House Bill No. 169 which was a title only bill which was before the House Agriculture Committee and that committee to make a more comprehensive bill relating to agriculture put these two, I would say, subjects relating to agriculture in the same bill."

Senator McCutcheon: "It has come to us as a House bill with some amendments?"

Senator Washington: "No, there are no amendments. There are just two sections to the House bill. I think it is proper."

The motion carried and the amendment by Senator Woodall was adopted on a rising vote.

Senator Atwood moved adoption of the following amendment:

On page 1, section 1, line 10, strike "purposely with any automated device"

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Would Senator Wilson yield? Senator, is there any place in some other part of the law that you have defined 'automated device'? There is no definition of what 'automated device' is, and a criminal statute is very strictly construed. I would suggest that you are really creating a problem in this bill with those few words and that is why I moved to take them out. I appreciate what you want to do but I do not see any definition of that."

Senator Wilson: "In answer to your question, Senator, since the drafting was done in the House, I do not know whether 'automated device' is defined elsewhere in the statute. I would point out, Senator, that with the deletion of that phrase as you propose, what we have is 'Any person who shoots without the permission of the owners, except for humane disposal, or otherwise injures or kills any horse,' etc., shall be guilty of a gross misdemeanor.

"This, of course, opens it up to the person who is driving down the highway at night, runs into some cattle in a herd and kills or injures some of them. Depending upon whether he is driving in the area of a herd law or not or other factors, he would, it seems to me, then fall within the province of this wording and could be guilty of a gross misdemeanor. That was not the intention of the legislation, that is, to affect people who strike cattle on the highway."

MOTIONS

On motion of Senator Wilson, Substitute House Bill No. 169 was ordered held following consideration of Engrossed Substitute House Bill No. 51.

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:50 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:50 p.m.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 27,
 SENATE BILL NO. 67,
 SENATE BILL NO. 107,
 SENATE BILL NO. 126,
 SENATE BILL NO. 243,
 SENATE BILL NO. 277,

Senators Durkan, Washington and Knoblauch demanded a Call of the Senate.
 A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.
 The Secretary called the roll on the Call of the Senate, all members being present.
 On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

MOTION

On motion of Senator Bailey, the Senate adopted a limitation on debate to five minutes on each subject and no yields.

SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE HOUSE BILL NO. 51, by Committee on Natural Resources:

Implementing law relating to pollution of waters by oil.

The time having arrived, the Senate resumed consideration of Engrossed Substitute House Bill No. 51.

The bill was read the second time by sections.

Senator Durkan moved adoption of the following amendment by Senators Durkan and Day:

On page 3, section 5, line 29 of both the printed and engrossed bills, after "RCW 90.48.330" strike all the matter down to and including "conduct" on page 3a of the engrossed bill, being the House amendment to page 3, section 5, line 29.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Williams: "Mr. President, I just want to be sure that if this amendment should be defeated that another amendment raising the limitation dollar amount could then be offered."

Senator Durkan: "I would like to answer that, if I may. There is probably another amendment that would answer you."

Senator Williams: "I just wanted to be sure it would be in order."

Senator Pritchard: "There is another amendment to do that, Senator Williams."

Senator Williams: "Yes, I know it is on the Secretary's desk. I just wanted to be sure it would be in order if this amendment was not adopted."

REPLY BY THE PRESIDENT

The President: "Senator Williams, in answer to your query, the President believes that such an amendment would be in order."

Senator Williams: "Thank you, Mr. President."

Further debate ensued.

POINTS OF INQUIRY

Senator Andersen: "Will Senator Durkan yield? Senator, we are both attorneys. We

both know the old rule that you should not ask another lawyer a leading question but I am going to ask you if you can guarantee to me and the other members of this Senate that if we put these various amendments of yours, designed to tighten up the bill in the form it came over from the House that this bill is going to be accepted by the House and enacted into law? I ask this particularly in view of the fact that this is the last day for the consideration of bills."

Senator Durkan: "Mr. President, there is absolutely no question in my mind that they will adopt it. I think that we have a great chance here to bring along the House and with the adoption of these amendments, it probably will sail right through the House. There is no question in my mind about it."

Senator Mardesich: "Mr. President, gentlemen of the Senate, I would like at the same time to make a statement and ask a question. It is my understanding that the rules as they have been amended for this thirty-day session provide that if there be a difference between the Houses, that difference may be settled up until the last day of the session even though it be the last day for consideration of bills of the opposite house in this instance.

"Assuming that is correct, Senator Andersen, I would submit that even though we accept this amendment and the House did not pass it or agree to it, the measure would not be dead and the matter would still be open to negotiation between the two Houses."

REPLY BY THE PRESIDENT

The President: "That is correct, Senator Mardesich, in answer to your query."

POINT OF INQUIRY

Senator Pritchard: "Will Senator Durkan yield? This is just a matter of information. If there is no negligence, there is a five million dollar liability. Is that right? If there is negligence, there is no limit. I am a little confused."

Senator Durkan: "The present limitation is five million dollars."

Senator Pritchard: "Whether there is negligence or no negligence?"

Senator Durkan: "That is right. The five million dollars is provided that in no event can the liability be in excess of five million dollars."

Senator Pritchard: "All right, I would like this point cleared up because I have just been telling somebody something and they said that is not true. I thought I would ask you, Senator Durkan."

Senator Atwood: "For the edification of the proposer of the amendment, if you will look on page 3a, 'the five million dollars per occurrence except where the discharge and entry of oil was the result of negligent or intentional conduct.' There is no limit on the cleanup where the oil company was negligent or it was an intentional act. The only thing we are talking about here today is where there is apparently an act of God or something of that nature, or a storm breaks up a tanker out at sea and it belongs to say, for example, Mobil, because they happen to be in my area, so they are not negligent. Then the limit here is five million dollars."

Senator Dore demanded a roll call and the demand was sustained by Senators Canfield, Sandison, Pritchard, Bailey, Faulk, Elicker, Francis, Peterson (Ted) and Metcalf.

ROLL CALL

The Secretary called the roll and the amendment by Senators Durkan and Day was adopted by the following vote: Yeas, 31; nays, 18.

Voting yea: Senators Bailey, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Knoblauch, McCormack, McCutcheon, Mardesich, Marquardt, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Walgren, Washington, Wilson—31.

Voting nay: Senators Andersen, Atwood, Canfield, Cooney, Greive, Huntley, Keefe, Lewis (Brian), Lewis (Harry), McDougall, Matson, Metcalf, Newschwander, Ryder, Talley, Twigg, Williams, Woodall—18.

MOTION FOR RECONSIDERATION

Senator Guess moved that the Senate immediately reconsider the vote by which the Senate adopted the amendment by Senators Durkan and Day.

Debate ensued.

Senators Durkan, Dore and Mardesich demanded the previous question and the demand was sustained.

Senator Dore demanded a roll call and the demand was sustained by Senators Bailey, Wilson, Donohue, Odegaard, Elicker, Faulk, Marquardt, Sandison and Talley.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion by Senator Guess lost by the following vote: Yeas, 9; nays, 40.

Voting yea: Senators Atwood, Connor, Cooney, Guess, Keefe, Lewis (Harry), Twigg, Williams, Woodall—9.

Voting nay: Senators Andersen, Bailey, Canfield, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—40.

The motion by Senator Durkan carried and the amendment was adopted.

Senator Durkan moved adoption of the following amendment by Senators Durkan and Day:

On page 3a, section 5, after line 3 add a new section as follows and renumber the remaining sections consecutively:

NEW SECTION. Sec. 6. There is added to chapter 133, Laws of 1969 ex. sess. and to chapter 90.48 RCW a new section to read as follows:

Any person owning oil or having control over the same which enters the waters of the state in violation of section 2 of this 1970 amendatory act shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry. In any action to recover such damages, said person shall be relieved from strict liability, without regard to fault, if he can prove that the oil to which the damages relate entered the waters of the state by causes set forth in section 2, subsection (3) of this 1970 amendatory act."

Debate ensued.

POINT OF INQUIRY

Senator Stender: "Will Senator Gissberg yield? Senator, it indicates he is liable but he is not liable. If it is intended that way, I do not see how I can support that because a while ago Senator Durkan made a pretty persuasive speech that he thought they ought to be liable up to five million regardless. Does that amendment take that out again?"

Senator Gissberg: "No, Senator Stender, you are not correct. It is not inconsistent but first of all, responding to Senator Atwood's remarks, I felt as he did originally that perhaps we were just saying twice what has already been said in the bill. Senator Durkan reported that someone in the attorney general's office as well as the people who are responsible for much of the drive behind this bill had suggested it. If it does not, in our opinion, hurt the bill and maybe helps it by clearing up what to them is an ambiguity, then I see no harm in doing that but, Senator Stender, what you believe to be inconsistent is not.

"This bill simply says that anyone who brings the oil into this state shall be liable regardless of fault except where the person who has control over the oil can prove in a court of law and the burden of proof is shifted in this instance which is the salutary thing about this bill. The burden of proof is shifted so that the one who controls the oil can escape that absolute liability if and only if he can prove by a preponderance of evidence in a court of law that discharge was caused by one, God; two, an act of war or sabotage; or three, negligence on the part of the United States government or the state of Washington. Now if he can prove any of those three facts, then he escapes absolute liability."

Senator Stender: "I have a further question. Who is liable under those conditions then? Who is going to take care of this so-called oil on the beaches? Who then does it under this bill? I see the five million dollars on page 3a 'none of those except where the discharge and entry of oil was the result of negligent or intentional conduct.' In other words, it says five million dollars under any circumstance and this amendment, as I read it, undoes that. It changes and nullifies that part of the act. My question is who of them under this act would be liable? Who would be liable to clean up the oil that may be spilled by an act of God or by the act of sabotage or these other conditions?"

Senator Gissberg: "I would be if I were the property owner whose oil it was on unless God also intervened and assisted me as the property owner by having the state of Washington or some other agency assist me in cleaning it up.

"In the second situation, an act of war or sabotage, the same answer would prevail. In the third situation if it was negligence on the part of the United States government or the state of Washington, then one of those two agencies would be responsible to clean it up. However, what you overlook, Senator, is that there are substantial situations where oil spills can result which are not caused by negligence of the one who has the control of the oil. The problem in these cases is in attempting to prove that the spillage occurred as a result of the negligence of the person who controls the oil. This completely shifts the matter and requires absolute liability notwithstanding the fact that there was no intentional negligence on the part of the one who is controlling the oil. That covers a lot of situations. The amendment is not inconsistent, Senator."

The motion carried and the amendment by Senators Durkan and Day was adopted.

On motion of Senator Durkan, the following amendment by Senators Durkan and Day was adopted:

On page 7, add sections following section 9 as follows:

"Sec. 10. Section 11, chapter 216, Laws of 1945 as amended by section 6, chapter 13, Laws of 1967 and RCW 90.48.035 are each amended to read as follows:

The commission shall have the authority to, and shall promulgate, amend, or rescind such rules and regulations as it shall deem necessary to carry out the provisions of this chapter, including but not limited to rules and regulations relating to standards of quality for waters of the state and for substances discharged therein *in order to maintain the highest possible standards of all waters of the state in accordance with the public policy as declared in RCW 90.48.010* [, as such substances relate to the characteristics of the receiving waters].

Sec. 11. Section 13, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.142, are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or fails to perform any duty imposed by this chapter, or violates an order or other determination of the commission or the director made pursuant to the provisions of this chapter, including the conditions of a waste discharge permit issued pursuant to RCW 90.48.160, and in the course thereof causes the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes a reduction in the quality of the state's waters below the standards set by the commission, thereby damaging the same, shall be liable to pay the state damages in an amount equal to the sum of money necessary to restock such waters, replenish such resources, and otherwise restore the stream, lake or other water source to its condition prior to the injury, as such condition is determined by the commission. Such damages shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington in the superior court of the county in which such damages occurred: PROVIDED, That if damages occurred in more than one county the attorney general may bring action in any of the counties where the damages occurred. Any money so recovered by the attorney general shall be transferred to either the state game fund [for] or the department of fisheries to use for food fish or shellfish management purposes and propagation, or to any other agency of the state having jurisdiction over the resource damaged and for which said moneys were recovered, as appropriate: PROVIDED, That the agency receiving such money shall utilize not less than one-half of said money on activities or projects within the county where the action was brought by the attorney general. No action shall be authorized under this section against any person operating in compliance with the conditions of a waste discharge permit issued pursuant to RCW 90.48.160.

Sec. 12. Section 14, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.144 are each amended to read as follows:

Every person who:

(1) Violates the terms or conditions of a waste discharge permit issued pursuant to [RCW 90.48.160] *RCW 90.48.180*, or

(2) Conducts a commercial or industrial operation without a waste discharge permit as required by RCW 90.48.160, or

(3) Violates the provisions of RCW 90.48.080, shall incur, in addition to any other penalty as provided by law, a penalty in the amount of one hundred dollars a day for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall become due and payable when the person incurring the same receives a notice in writing from the director of the commission describing such violation with reasonable particularity and advising such person that the penalty is due. The director may, upon written application therefor, received within fifteen days, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as he in his discretion shall deem proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. If the amount of such penalty is not paid to the commission within fifteen days after receipt of notice imposing the same, or application for remission or mitigation has not been made within fifteen days after the violator has received notice of the disposition of such application, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any other county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund.

Sec. 13. Section 6, chapter 71, Laws of 1955 as amended by section 20, chapter 13, Laws of 1967 and RCW 90.48.210 are each amended to read as follows:

The issuance or termination of a permit, the denial of an application for a permit, or the modification of the conditions or the terms of a permit shall be deemed to be an order for purposes of [RCW 90.48.130] *RCW 90.48.135.*"

Renumber the remaining sections consecutively.

On motion of Senator Elicker, the following amendments by Senators Elicker and Pritchard were adopted:

On page 2, section 1, line 5, strike subsection (6).

On page 2, section 2, line 26, strike subsection (a). Redesignate subsections "(b)" and "(c)" as "(a)" and "(b)".

Senator Lewis (Brian) moved adoption of the following amendment:

On page 7, section 10, line 7, add a new section as follows:

"NEW SECTION. Sec. 10. There is hereby created in the state treasury the Washington State Oil Spillage Reclamation Account, to be administered by the Water Pollution Control Commission. All carriers transporting oil on the waters of the state of Washington when entering the waters of the state shall contribute one-tenth cent for each barrel of oil transported to said fund until a pool of ten million dollars is accumulated in said fund.

The fund shall be invested in bonds and/or securities authorized for investment by the State Finance Committee. At such time as the fund reaches ten million dollars the state treasurer shall annually advise the legislature of the amount of earned interest available for appropriation to the Water Pollution Control Commission for the expenses of its operation.

The monies in said fund may be used at any time by the Water Pollution Control Commission to defray any costs incurred by the state in cleaning up any oil spillage on the waters of the state.

In the event said fund diminishes at any future date to an amount less than ten million dollars, the contribution of one-tenth cent for each barrel of oil transported on the waters of the state shall be reimposed until said fund again amounts to ten million dollars."

Renumber sections 10 and 11 of the bill as sections 11 and 12.

Debate ensued.

On motion of Senator Day, the amendment was laid upon the table on a rising vote.

On motion of Senator Durkan, the following amendment to the title by Senators Durkan and Day was adopted:

In line 10 of the title after "RCW 90.48.340;" and before "adding new sections" insert: "amending section 11, chapter 216, Laws of 1945 as amended by section 6, chapter 13, Laws of 1967 and RCW 90.48.035; amending sections 13 and 14, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.142 and 90.48.144; amending section 6, chapter 71, Laws of 1955 as amended by section 20, chapter 13, Laws of 1967 and RCW 90.48.210;"

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute House Bill No. 51, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 51, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Voting nay: Senators Cooney, Lewis (Harry), Peterson (Lowell)—3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 51, as amended by 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.

SUBSTITUTE HOUSE BILL NO. 169, by Committee on Agriculture:

Providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters.

The Senate resumed consideration of Substitute House Bill No. 169, as amended by the Senate, and the pending amendment by Senator Atwood.

There being no objection, the amendment by Senator Atwood was withdrawn.

MOTION FOR RECONSIDERATION

Senator Washington moved that the Senate reconsider the vote by which the amendment by Senator Woodall to page 1, section 2, line 12 striking section 2 was adopted.

POINT OF ORDER

Senator Woodall: "There has been intervening business. There has been another amendment voted upon. Other business has intervened that was not reconsidered immediately and the motion is not being made by a party who voted on the prevailing side. For those reasons this matter is untimely at this time and out of order."

RULING BY THE PRESIDENT

The President: "In ruling upon the point of order as raised by Senator Woodall on the motion for reconsideration by Senator Washington, the President believes that the spirit of Rule 31 of the Senate Rules is that the person who moves to reconsider must have voted upon the prevailing side and then in Reed's Rule 207 it clearly and definitely defines that situation to be true. The concluding statement in Rule 207: 'If the vote was not by yeas and nays, the presiding officer may inquire of the mover if he was of the prevailing part.'"

Senator Washington moved adoption of the following amendment:

Following section 1 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 139, Laws of 1959 and to chapter 20.01 RCW a new section to read as follows:

A copy of a manifest of cargo, on a form prescribed by the director, shall be carried on any vehicle transporting hay or straw purchased by a dealer or cash buyer, or consigned to or purchased by a commission merchant from the consignor thereof. Such manifest of cargo shall include but shall not be limited to the following: (1) the unit price or price per ton paid to the producer or other consignor or seller; (2) the unit price or price per ton received by the commission merchant, dealer or cash buyer on resale to the user or other purchaser of the hay or straw; (3) the name of the producer or other seller or consignor and (4) the name of the user or other purchaser on resale.

The manifest of cargo shall be issued in quadruplicate, with a copy going to each of the following: (a) the producer or other seller or consignor of the hay or straw; (b) the dealer, commission merchant, or cash buyer; (c) the director; and (d) the user or other purchaser of the hay or straw on resale. Such manifest of cargo shall be valid only when signed by the licensee or his agent and the consignor of such hay or straw."

POINT OF ORDER

Senator Woodall: "I raise the point of order on the scope and object of the bill. Senator Wilson's bill has to do with people shooting livestock and Senator Washington wants to have it to do with weighing of some hay. It obviously enlarges the scope and object and goes into another section again. Why a bill which is designed for one purpose and one only, to create one new criminal offense, cannot be left alone without throwing a lot of civil law in it, I just cannot understand the good Senator. I submit that this should be ruled out of order."

Senator Henry: "Mr. President, members of the Senate, in defense of Senator Washington's amendment, I submit that the purpose of this is to enlarge the scope and object of the cattle. Without the hay, they are not going to be big enough to hit."

POINT OF INQUIRY

Senator Bailey: "Will Senator Wilson yield? Mr. President, I was just thinking. I asked this question before when it came through the Senate, if it would not have been easier for Senator Wilson to paint the word 'cow' on each one of his seven head instead of taking up all of this time."

Senator Wilson: "Senator Bailey, in response I found that the hunters from certain large AA counties without being specific merely used the letter 'o' in the word 'cow' for target practice."

Senator Canfield: "Thank you, Mr. President. Senator Wilson's bill as it stands now is a good bill. It is the way it was intended to be in the start and I think we ought to pass it, get on with our business and leave out the hayloaders."

Senator Washington: "I do not know whether Senator McCormack wants to join me as a sponsor of this particular amendment. His name is not on it. I move that his name be added as a sponsor of this amendment."

POINT OF ORDER

Senator Woodall: "My point of order is that I want the point of order that is raised. The only comments on the floor that are germane at this time must be addressed to the point of order that has been raised rather than to the merits of the proposed amendment."

RULING BY THE PRESIDENT

The President: "This particular point by Senator Woodall is well taken."

MOTION

Senator McDougall moved that the amendment as proposed by Senator Washington be laid upon the table.

Senator Washington demanded a roll call and the demand was sustained by Senators Connor, Herr, Mardesich, Day, Gissberg, Bailey, Canfield, Donohue and Henry.

ROLL CALL

The Secretary called the roll and the motion by Senator McDougall failed by the following vote: Yeas, 24; nays, 25.

Voting yea: Senators Andersen, Atwood, Canfield, Elicker, Faulk, Guess, Holman, Keefe, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ryder, Stender, Twigg, Williams, Wilson, Woodall—24.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Francis, Gissberg, Greive, Henry, Herr, Huntley, Knoblauch, McCormack, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Stortini, Talley, Walgren, Washington—25.

RULING BY THE PRESIDENT

The President: "The President ruling upon the point of order presented by Senator Perry B. Woodall rules that the point is well taken in that the President finds Substitute House Bill No. 169 providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters whereas the amendment relates to a number of subjects of which the members of the Senate are aware. Therefore, under the provisions of the Washington State Constitution and Rule 62 of the Senate Rules, the President rules that the proposed amendment does indeed change the scope and object of the bill."

The amendment by Senator Washington was ruled out of order.

On motion of Senator Wilson the following amendment to the title by Senator Woodall was adopted:

On page 1, line 2 of the title, strike "adding a new section to chapter 15.80 RCW;"

MOTION

On motion of Senator Gissberg, the Senate dispensed with the Call of the Senate.

On motion of Senator Wilson, the rules were suspended, Substitute House Bill No. 169, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 169, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 5.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson

(Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—44.

Absent or not voting: Senators Atwood, Foley, Newschwander, Pritchard, Williams—5.

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.

MOTION

On motion of Senator Woodall, Substitute House Bill No. 169, as amended by the Senate, was ordered immediately transmitted to the House.

ENGROSSED HOUSE BILL NO. 251, by Representatives King, Smythe and Kiskaddon:

Providing for deferred retirement allowances.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Engrossed House Bill No. 251 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 251, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 4.

Voting yea: Senators Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Andersen, Connor, Newschwander, Pritchard—4.

ENGROSSED HOUSE BILL NO. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Requiring the disclosure of birth defects by adoption agencies.

The bill was read the second time by sections.

On motion of Senator Elicker, the following amendment by Senators Elicker and Holman was adopted:

On page 1, section 1, line 20 after "RCW 26.36.030" insert "and RCW 26.36.060"

Senator Andersen moved adoption of the following amendment:

On page 1, section 1, line 21 after "section" and before the period, insert "": **PROVIDED, HOWEVER,** That this section shall not apply to attorneys performing legal services in connection with adoptions"

POINT OF INQUIRY

Senator Day: "Will Senator Andersen yield? Senator, don't you feel that the material beginning with 'This report' on line eleven reading 'shall contain but shall not be limited to all reasonable available information' takes care of that?"

Senator Andersen: "I am afraid it does not. I went through it very carefully and very frequently because I am as I think you know, Senator Day, very interested in the adoption field but I am just afraid that there is a burden on the attorney to go out and try to obtain this information. It is not the same as the social worker, the doctor or the adoption home

that deals with the particular subject. The attorney is the person who handles the legal work involved in it and I am just afraid it would impose an affirmative duty on him that he is not really equipped to handle. I do not think it was intended to be aimed at the lawyer that just does the legal work but I was afraid that would be covered unless it was expressly exempted."

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 23 as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 23, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; absent or not voting, 1.

Voting yea: Senators Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McDougall, Metcalf, Odegaard, Peterson (Lowell), Ridder, Stender, Stortini, Walgren, Washington, Wilson—27.

Voting nay: Senators Andersen, Atwood, Cooney, Gissberg, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCutcheon, Mardesich, Marquardt, Newschwander, Peterson (Ted), Pritchard, Ryder, Sandison, Talley, Twigg, Williams, Woodall—21.

Absent or not voting: Senator Matson—1.

ENGROSSED HOUSE BILL NO. 23, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Ridder, Engrossed House Bill No. 23, as amended by the Senate, was ordered immediately transmitted to the House.

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

Relating to civil disturbance and providing penalties.

REPORT OF STANDING COMMITTEE

February 3, 1970.

HOUSE BILL NO. 162, relating to civil disturbance and providing penalties (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

Beginning on line 3, strike all of the material and insert:

"NEW SECTION. Section 1. It shall be unlawful for any person, singly or in concert with others, to wilfully interfere by force or violence with any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

"NEW SECTION. Sec. 2. It shall be unlawful for any person, singly or in concert with others, to wilfully intimidate by threat of force or violence any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

"NEW SECTION. Sec. 3. The crimes defined in this act shall not apply to school administrators or teachers who are engaged in the reasonable exercise of their disciplinary authority.

"NEW SECTION. Sec. 4. Any person guilty of violating this act shall be deemed guilty of a gross misdemeanor and, upon conviction thereon, shall be fined not more than \$500.00, or imprisoned in jail not more than six months or both such fine and imprisonment.

"NEW SECTION. Sec. 5. SEVERABILITY. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this act so adjudged to be invalid or unconstitutional."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Ridder, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was adopted.

On motion of Senator Woodall, the rules were suspended, House Bill No. 162, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 162, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Absent or not voting: Senators Gissberg, Ryder—2.

HOUSE BILL NO. 162, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 5, by Representatives Conner and Marzano:
Creating a tax exemption for sheltered workshops.

REPORT OF STANDING COMMITTEE

February 3, 1970.

HOUSE BILL NO. 5, creating a tax exemption for sheltered workshops (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended:

On page 1, line 8, starting with "Real" strike all the matter down to and including the period after "individuals" on line 32, on page 2 and insert the following:

"Real or personal property owned and used by a nonprofit corporation in connection with the operation of a sheltered workshop for handicapped persons, and used primarily in connection with the manufacturing and the handling, sale, or distribution of goods constructed, processed, or repaired in such workshops or centers.

NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

Unless a different meaning is plainly required by the context, the following term as hereinafter used in this chapter shall have the following meaning:

"Sheltered workshop" means rehabilitation facility, or that part of a rehabilitation facility operated by a nonprofit corporation, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the gross sales or gross income received by nonprofit organizations from the operation of "sheltered workshops". For the purposes of this section, "sheltered workshops" mean rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals."

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Canfield, Day, Donohue, Dore, Faulk, Gissberg, Guess, Lewis (Harry), McCormack, Mardesich, Marquardt, Pritchard, Ridder, Sandison, Twigg, Walgren, Williams.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 5, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 5, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Voting nay: Senator Francis—1.

Absent or not voting: Senators Durkan, Huntley, Newschwander—3.

ENGROSSED HOUSE BILL NO. 5, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 19, by Senators Dore, Gissberg, Mardesich and Stortini:

Establishing day care centers in class AA and class A counties.

The Senate resumed consideration of Engrossed Senate Bill No. 19 on second reading.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 19 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Peterson (Ted): "Will Senator Dore yield? On this one hundred and fifty thousand, what does that cover? Does that give us the day care center at the north end of town?"

Senator Dore: "It is four to one matching fund. For every dollar that is put in by the state, we receive three from the federal government."

Senator Peterson (Ted): "Yes, but where are they selecting?"

Senator Dore: "There are two or three in existence right now. They will be aided by this bill in Highland Park and one in Senator Connor's district and then there will be others if the money permits."

Senator Peterson (Ted): "Is there one in your district?"

Senator Dore: "I do not think so."

Senator Peterson (Ted): "How are they going to make selection of the others, Senator?"

Senator Dore: "The department of public assistance will do it according to the provisos of the act. There are provisions that they could do it in either Snohomish or Pierce counties, Spokane or Seattle."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 19, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry,

Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Absent or not voting: Senator Matson—1.

ENGROSSED SENATE BILL NO. 19, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Establishing health care programs for state employees.

MOTION

On motion of Senator Day, Engrossed House Bill No. 203 was ordered returned to the Committee on Rules and Joint Rules.

HOUSE BILL NO. 158, by Representatives Wojahn, Shera and Bottiger:
Including certain nonprofit organizations in definition of "debt adjuster".

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 158 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 158, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Absent or not voting: Senators Marquardt, Matson—2.

HOUSE BILL NO. 158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 206, by Senators Sandison, Ryder and Wilson:

Relating to community colleges.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendments by Senators McCormack and Sandison were adopted:

On page 5, following section 2, add two new sections as follows:

"Sec. 3. Section 32, chapter 8, Laws of 1967 ex. sess. as amended by section 1, chapter 238, Laws of 1969 ex. sess. and RCW 28.85.320 are each amended to read as follows:

Forty percent of all general tuition fees, all incidental fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of trustees of the community college district. Each person authorized to sign as

provided above, shall execute a surety bond [in the sum of not less than the average amount on deposit in the fund during the preceeding six months, or ten thousand dollars, whichever is greater] *as provided in RCW 43.17.100.* Said bond or bonds shall be filed in the [state auditor's] office of the secretary of state.

Sec. 4. Section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 238, Laws of 1969 ex. sess. and RCW 28B.50.320 are each amended to read as follows:

Forty percent of all general tuition fees, all incidental fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of trustees of the community college district. Each person authorized to sign as provided above, shall execute a surety bond [in the sum of not less than the average amount on deposit in the fund during the preceeding six months, or ten thousand dollars, whichever is greater] *as provided in RCW 43.17.100.* Said bond or bonds shall be filed in the [state auditor's] office of the secretary of state."

On page 5, section 4 of the printed bill, line 33, after the comma after "act" and before "shall be" strike "section 1" and insert "sections 1 and 3"

On page 6, section 4 of the printed bill, line 2, after "time" and before "shall" strike "section 1" and insert "sections 1 and 3"

On page 6, section 4 of the printed bill, line 2, after "void and" and before "shall" strike "sections 2 and 4"

In line 4 of the title after the semicolon after "RCW 28B.50.350" and before "declaring" insert "amending section 32, chapter 8, Laws of 1967 ex. sess. as amended by section 1, chapter 238, Laws of 1969 ex. sess. and RCW 28.85.320; amending section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 238, Laws of 1969 ex. sess. and RCW 28B.50.320;"

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 206 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 206, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Absent or not voting: Senators Dore, Pritchard-2.

ENGROSSED HOUSE BILL NO. 206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Senator Greive moved that the Senate do now reconsider the vote by which the Senate passed House Bill No. 158.

Debate ensued.

The motion carried.

MOTIONS

On motion of Senator Greive, the rules were suspended, House Bill No. 158 was returned to second reading.

On motion of Senator Greive, the following amendments were adopted:

On page 2, line 26, immediately following section 1 add a new section as follows:

"Sec. 2. Section 1, chapter 142, Laws of 1969, 1st ex. sess., and RCW 19.52.080 are each amended to read as follows:

Corporations, Massachusetts trust, associations, [and] limited partnerships, and persons engaged in the business of lending money or the development or improvement of real estate in the state of Washington may not plead the defense of usury nor maintain any action thereon: PROVIDED, HOWEVER, That this section shall apply only to a transaction which involves an amount in excess of one hundred thousand dollars.

On page 1, line 1, strike the title and insert:

"An Act relating to debtors and lenders; amending section 1, chapter 201, Laws of 1967 and RCW 18.28.010; and amending section 1, chapter 142, Laws of 1969, 1st ex. sess., and RCW 19.52.080."

On motion of Senator Greive, the rules were suspended, House Bill No. 158, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 158, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Voting nay: Senators Atwood, Gissberg, Lewis (Harry)—3.

Absent or not voting: Senator Pritchard—1.

HOUSE BILL NO. 158, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

At 4:55 p.m., on motion of Senator Bailey, the Senate recessed until 5:30 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 5:30 p.m.

MOTION

At 5:35 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 6, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

SENATE BILL NO. 8: Defining terms and establishing pay schedules for unemployment compensation.

Sincerely,
 JOHN SHERWOOD
 Legislative Counsel to the Governor.

MESSAGES FROM THE HOUSE

February 6, 1970.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 6, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 52,
 SENATE BILL NO. 68,
 SENATE BILL NO. 121,
 SENATE BILL NO. 204,
 SENATE BILL NO. 228,
 SENATE BILL NO. 275,
 and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The Speaker has signed HOUSE JOINT RESOLUTION NO. 6, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE JOINT RESOLUTION NO. 6,
 SENATE CONCURRENT RESOLUTION NO. 6

SECOND READING

ENGROSSED HOUSE BILL NO. 6, by Representative Conner:

Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.

The bill was read the second time by sections.

On motion of Senator Odegaard, the rules were suspended, Engrossed House Bill No. 6 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 6, and the bill passed the Senate by the following vote: Yeas, 40; absent or not voting, 9.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Stender, Stortini, Washington, Williams, Wilson, Woodall—40.

Absent or not voting: Senators Cooney, Foley, Henry, Peterson (Ted), Pritchard, Sandison, Talley, Twigg, Walgren—9.

ENGROSSED HOUSE BILL NO. 6, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 72, by Representatives Schumaker, Beck and Clarke (George W.):
 Authorizing interstate purchase of shotguns and rifles.

The bill was read the second time by sections.

MOTION

On motion of Senator Henry, Senators Twigg and Walgren were excused.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 72 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 72, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Washington, Williams, Wilson—43.

Absent or not voting: Senators Foley, Peterson (Lowell), Talley, Woodall—4.

Excused: Senators Twigg, Walgren—2.

HOUSE BILL NO. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

REPORT OF STANDING COMMITTEE

February 5, 1970.

ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 11, strike all of the material through page 5, section 7, line 22 and insert the following:

"NEW SECTION. Section 1. That portion of the proviso contained in chapter 282, Laws of 1969, ex. sess. (pages 2718, 2719, Pamphlet Edition, Statute Law Committee, Volume 8) dealing with the reimbursement factor for school districts of certain descriptions reading as follows:

"For school districts judged remote and necessary by the state board of education and enrolling fewer than 250 students in grades 9-12 and for nonhigh districts judged remote and necessary by the state board of education and for schools by the state board of education within a district and which enroll fewer than 100 students:"

is hereby suspended.

NEW SECTION. Sec. 2. During the current fiscal period ending June 30, 1971 the reimbursement factor applicable to school districts enrolling fewer than 250 students in grades 9-12 and for nonhigh districts which are judged remote and necessary by the state board of education and which enroll fewer than 100 students shall be in accordance with the weighting factor submitted by the superintendent of public instruction to the 40th legislature.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, line 1, of the title, after "education;" strike all of the material through line 9 and insert "suspending a proviso; and declaring an emergency."

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Day, Donohue, Faulk, Foley, Gissberg, Huntley, Lewis (Harry), McCormack, Metcalf, Odegaard, Sandison, Twigg, Washington, Wilson, Woodall.

The bill was read the second time by sections.

On motion of Senator Bailey, the committee amendments were adopted.

On motion of Senator Bailey, the rules were suspended, Engrossed House Bill No. 13,

as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 13, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 9; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Matson, Metcalf, Odegaard, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—39.

Voting nay: Senators Francis, Mardesich, Marquardt, Newschwander, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Williams—9.

Absent or not voting: Senator Woodall—1.

ENGROSSED HOUSE BILL NO. 13, 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 Senator Greive, Senator Day was excused.

HOUSE BILL NO. 140, by Representatives Zimmerman, Smythe, Marsh and Sprague: Establishing a system of state recreational trails.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, House Bill No. 140 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Lewis (Brian): "Will Senator Peterson (Lowell) yield? Senator, on page four, section nine, the language of the bill talks about motor vehicular type of use. Now it is my understanding that this is intended solely to be limited to motorized vehicles that have two wheels, in other words, trail bikes, for example, and is not intended to cover four-wheel vehicles. Am I correct in that understanding, Senator?"

Senator Peterson (Lowell): "Senator Lewis, my interpretation and the knowledge that I have of the bill, the word on line nine, section nine, says 'powered bicycles' which would certainly limit it to the trail bike classification and certainly not to jeeps or vehicles of this nature."

Senator Lewis (Harry): "Will Senator Peterson (Lowell) yield? Senator, there has been some concern from the House, I understand, about the public access and travel on some of these trails and some recommendations that might be made by the interagency councils. Would you respond for the record what was the intent of your committee in this regard?"

Senator Peterson (Lowell): "Senator Lewis, I presume that you are referring to the amendment that was laid upon your desk earlier in the day that refers to adequately marking hazardous trail closings. Senator, this amendment, while we felt earlier in the day, might be necessary statutorily, we determined that it could be regulatory.

"The reason that this was brought up, I might explain, is because an instance did happen where a man was riding on a two-wheel trail bike on an unmarked trail. There was a wire across the trail that caught him and actually the man lost his life as a result of it.

"However, this is regulatory and it does not have to be in the measure as a statutory measure so I withdrew the amendment. But for the record, I would like to clearly state that certainly this should be considered under the regulations of the act."

Senator Guess: "Will Senator Peterson (Lowell) yield? Senator, I have a question about the definition in section nine on the motor vehicular or watercraft travel as appropriate to the terrain. In talking with some of the drafters of this bill, they tell me that they intended that in the wintertime these trails would be available to snowmobiles because they would not be available to foot traffic. Is that within the scope of the bill as you see it?"

Senator Peterson (Lowell): "Senator Guess, I have not talked with the sponsors of this bill to that extent but I certainly would not think that snowmobiles would fall under the category of the recreational trail system in the state of Washington. I think this is entirely a different subject."

Senator Guess: "Senator Peterson, you say you are going to permit motor vehicles on there?"

Senator Peterson (Lowell): "Motor vehicles only to the extent it says 'powered bicycles,' Senator. That is what the bill states. It does not say anything about snowmobiles nor are we setting up a vast system of snowmobile trails on this bill. This is a recreational trails system."

Senator Guess: "I would like for you to refer to line nine on page four. It says 'powered vehicles, horse, motor vehicular, or watercraft travel as appropriate to the terrain and location.'"

Senator Peterson (Lowell): "Senator, certainly in this particular instance the scope is enlarged but I am certain that this is not the intent of this act. I am sure that the sponsors intended only to broaden it to the point of where vehicular travel could be provided and I am sure that the original intent was to provide it for trail bikes."

Senator Guess: "If you will go on down to the next sentence, it says, 'It is further provided that the same trails shall not be designated for use by foot and vehicular traffic at the same time.' If this condition prevails and in the wintertime when it is not open for foot traffic, would you see any problems of designating it for snowmobile travel?"

Senator Peterson (Lowell): "Senator, I might not see any problem but I did not draft this act. I would have to confer with Senator Canfield, my legal advisor, to find out whether or not it would even fall within the scope and object but I do not really think it does. I do not think this is the intent of the bill. It is establishing a state-wide recreational trail system."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 140, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Voting nay: Senator Talley—1.

Absent or not voting: Senators Bailey, Durkan, McCormack—3.

Excused: Senator Day—1.

HOUSE BILL NO. 140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 295, by Representatives Clarke (George W.) and Haussler:

Pertaining to crimes and criminal procedure.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 295 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 295, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson

(Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Absent or not voting: Senators Bailey-1.

Excused: Senator Day-1.

ENGROSSED HOUSE BILL NO. 295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Increasing jurisdiction of small claims department of justice courts.

REPORT OF STANDING COMMITTEE

February 4, 1970.

HOUSE BILL NO. 103, increasing jurisdiction of small claims department of justice courts (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 14, after "court", strike all of the material down to and including "dollars" on line 16 and insert "[, which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed [fifty dollars]. *If the justice court is operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed two hundred dollars. If the justice court is not operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed one hundred dollars.*"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Ridder, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

On motion of Senator Williams, the committee amendment was adopted.

On motion of Senator Williams, the rules were suspended, House Bill No. 103, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 103, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-43.

Absent or not voting: Senators Bailey, Dore, Durkan, Metcalf, Pritchard-5.

Excused: Senator Day-1.

HOUSE BILL NO. 103, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 326, by Representatives Bledsoe, Chatalas, Shera, Leckenby, Charette and Pardini:

Permitting state agencies, municipalities, fiduciaries, to invest in "A" rated bonds of specified institutions.

The bill was read the second time by sections.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 1, line 19, after "federal government" strike all of the material down to and including "debentures" on line 22.

On motion of Senator Faulk, the following amendment by Senators Faulk, Holman, Mardesich and Stortini was adopted:

On page 1, section 2, line 23, insert as section 2:

"Sec. 2. Section 35.45.150, chapter 7, Laws of 1965 and RCW 35.45.150 are each amended to read as follows:

In addition to the issuance of bonds and warrants in payment of the cost and expense of any local improvement, any city or town may also issue *and sell* installment notes payable out of the local improvement district fund. [where such notes are to be sold exclusively to another fund of the same municipality as an investment thereof.] Such installment notes may be issued any time after the thirty day period allowed by law for the payment of assessments of any district without penalty or interest, and may bear any denomination or denominations, the aggregate of which shall represent the balance of the cost and expense of the local improvement district which is to be borne by the property owners therein.

Application of local improvement district funds for the reduction of the principal and interest amounts due on any notes herein provided to finance said improvement shall be made not less than once each year beginning with the issue date thereof. *Appropriate notification of such application of funds shall be made by the city treasurer to the registered payees of said notes, except those notes owned by funds of the issuing municipality.* If more than one local improvement installment note is issued for a single district, said notes shall be numbered consecutively. All notes issued shall bear on the face thereof: (1) the name of the payee; (2) the number of the local improvement district from whose funds the notes are payable; (3) the date of issue of each note; (4) the date on which the note, or the final installment thereon shall become due; (5) the rate of interest, not to exceed [eight] *twelve* percent, to be paid on the unpaid balance thereof, and; (6) such manual or facsimile signatures and attestations as are required by state statute or city charter to appear on the warrants of each issuing municipality.

The reverse side of each installment note issued pursuant to this section shall bear a tabular payment record which shall indicate at prescribed installment dates, the receipt of any local improvement district funds for the purpose of servicing the debt evidenced by said notes. Such receipts shall first be applied toward the interest due on the unpaid balance of the note, and any additional moneys shall thereafter apply as a reduction of the principal amount thereof. The tabular payment record shall, in addition to the above, show the unpaid principal balance due on each installment note, together with sufficient space opposite each transaction affecting said note for the manual signature of the city's clerk, treasurer or other properly designated receiving officer of the municipality, *or of any other registered payee presenting said note for such installment payments.*

Whenever there are insufficient funds in a local improvement district to meet any payment of installment interest due on any note herein authorized, a non-interest-bearing defaulted installment interest certificate shall be issued by the city treasurer which shall consist of a written statement certifying the amount of such defaulted interest installment; the name of the payee of the note to whom the interest is due and the number of the local improvement district from whose funds the note and interest thereon is payable. The certificate herein provided shall bear the manual signature of the city treasurer or his authorized agent. The defaulted installment interest certificate so issued shall be redeemed for the face amount thereof with any available funds in the local improvement guaranty fund.

Whenever at the date of maturity of any installment note issued pursuant to this section, there are insufficient funds in a local improvement district, due to delinquencies in the collection of assessments, to pay the final installment of the principal due thereon, the note shall be redeemed with any available funds in the local improvement guaranty fund for the amount of said final installment.

All certificates and notes issued pursuant to this section are to become subject to the same redemption privileges as apply to any local improvement district bonds and warrants now accorded the protection of the local improvement guaranty fund as provided in chapter 35.54 RCW, and whenever the certificates or notes issued as herein provided are redeemed by said local improvement guaranty fund, they shall be held therein as investments thereof in the same manner as prescribed for other defaulted local improvement district obligations.

Notwithstanding any other statutory provisions, local improvement installment notes authorized by this section which are within the protection of the local improvement guaranty fund law shall be considered legal investments for any available surplus funds of the issuing municipality which now or hereafter may be authorized to be invested in the city's local improvement districts' bonds or warrants *and shall be considered legal investments for all national and state banks, savings and loan institutions, and any and all other commercial banking or financial institutions to the same extent that the local improvement district bonds and coupons issued pursuant to the provisions of this chapter have been and are legal investments for such institutions.* Any such local improvement installment notes may be transferred or sold by said city or town upon such terms or conditions and in such manner as the local governing body of said city or town may determine, pursuant to a call for public bid: **PROVIDED, HOWEVER, That the same shall not be sold at less than par plus accrued interest.'**

Renumber section 2 of the printed bill as section 3 and renumber following sections consecutively.

MOTION FOR RECONSIDERATION

Senator Greive moved that the Senate do immediately reconsider the vote by which the Senate adopted the amendment by Senator Mardesich.

Debate ensued.

POINT OF ORDER

Senator Holman: "Mr. President, I raise the point of order that there has been intervening business on that same bill after the amendment was adopted and I think it is out of order to make a motion of reconsideration at this time."

RULING BY THE PRESIDENT

The President: "House Bill No. 326 is on second reading. The President rules that the motion to reconsider is in order."

Senator Greive demanded a roll call on the motion for reconsideration and the demand was sustained by Senators Henry, Knoblauch, Talley, Sandison, McCutcheon, Stortini, Ridder, Donohue and Odegaard.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion for reconsideration carried by the following vote: Yeas, 26; nays, 21; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Foley, Francis, Greive, Henry, Herr, Keefe, Knoblauch, McCutcheon, McDougall, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—26.

Voting nay: Senators Atwood, Canfield, Elicker, Faulk, Gissberg, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Pritchard, Stender, Twigg, Williams, Woodall—21.

Absent or not voting: Senator Andersen—1.

Excused: Senator Day—1.

The amendment by Senator Mardesich was not adopted.

Senator Gissberg moved adoption of the following amendment:

On page 1, section 1, line 16, after "PROVIDED, That the" insert "notes."

Debate ensued.

POINTS OF INQUIRY

Senator Gissberg: "Will Senator Holman yield? Senator, I call your attention to the fact that this would allow the sale of and the investment in notes and debentures. The proviso says 'provided that the bonds are debentured.' It does not pick up the notes again provided that the bonds or debentures are rated not less than 'A' by a nationally recognized rating agency or insured or guaranteed by an agency of the federal government. You do not have that same safeguard with respect to notes and there is a difference between a note and a debenture as I understand it in that a debenture is supposed to be secured by something and printed on a little fancier paper. You do have some different safeguards in here covering the debentures which are not picked up in the case of the notes.

"Do you think that there should be that same provision for notes? I do not know whether notes are graded 'A,' 'B,' or 'C' or not. I haven't heard of a gradation of a note as such, but it is possible that they do."

Senator Holman: "In answer to Senator Gissberg's question that very question was discussed by myself and Senators Mardesich and Ryder earlier tonight. I felt that we should insert the word 'notes' at the end of line sixteen. Now true, they are not graded but I think that they may very well become graded because I think this is a very interesting departure in the field of municipal finance which just happened to come up.

"I do not think they are graded but I had thought that Senator Mardesich was going to propose an amendment to insert the word 'notes.' In other words, I agree with you, Senator Gissberg."

Senator Greive: "Will Senator Gissberg yield? Senator, I very strongly support this particular measure and I would not want to do anything that impaired it in any way. What are the ultimate effects of this? Can you assure me that this will in no way impair the bill or impair the working of the bill?"

Senator Gissberg: "No, I asked the question as I did to make certain that it did not before I handed the amendment to the Secretary. Senator Holman assures me that he believes that notes should be treated in the same fashion as debentures. It is for that reason that I have put the amendment on the desk. Otherwise you have authority to invest in notes which are not rated by anyone and I question the advisability of allowing investments in just plain notes without there being some review as to the desirability of that investment. Senator Holman indicates that although they are not rated 'A' at this point, he thinks they probably should be."

Further debate ensued.

POINT OF INQUIRY

Senator Mardesich: "Mr. President, gentlemen of the Senate, I asked my friendly banker across the aisle the same question. If I paraphrase you incorrectly, Senator, I wish you would correct me. Senator Ryder tells me that a note is the same as a debenture except for the time duration, generally speaking. I would assume, therefore, that they are equally as susceptible as classifications of debenture. Am I correct on that assumption, Senator Ryder?"

Senator Ryder: "I assume, Senator Mardesich, you are asking me the question. I would say yes, that it would be perfectly proper to put on line 16 the word 'notes' to go along with bonds and debentures. Why it was left out I do not know. Notes of this kind are rated by nationals such as Moody's, Standard, Ford, and so forth."

Further debate ensued.

POINT OF INQUIRY

Senator Ridder: "Will Senator Greive yield? Senator, since Federal Old Line has been brought up, is it possible that Federal Old Line could be a private insurer?"

Senator Greive: "To my knowledge, and I am sure that it is true, Federal Old Line never did insure mortgages. That is a different kind of a company and it would have to be licensed for that purpose."

Senator Ridder: "Could it have been or could it have become a licensed insurer?"

Senator Greive: "No."

The motion carried and the amendment was adopted. On motion of Senator Mardesich, the following amendments were adopted:

On page 1, section 1, line 20, after "That the" insert "notes,"

On page 1, section 1, line 22, after "of the" and before "bonds" insert "notes,"

On motion of Senator Greive, the following amendment to the title by Senators Faulk, Holman, Mardesich and Stortini was adopted:

On line 1 of the title, after "funds;" insert "amending section 35.45.150, chapter 7, Laws of 1965 and RCW 35.45.150;"

On motion of Senator Greive, the rules were suspended, House Bill No. 326, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 326, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; nays, 15; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Henry, Herr, Keefe, Knoblauch, McCutcheon, McDougall, Marquardt, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Williams, Wilson—32.

Voting nay: Senators Atwood, Canfield, Gissberg, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McCormack, Mardesich, Matson, Metcalf, Newschwander, Twigg, Woodall—15.

Absent or not voting: Senator Andersen—1.

Excused: Senator Day—1.

HOUSE BILL NO. 326, as amended by 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.

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

Granting superintendents authority to make payment from patients' accounts.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 118 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 118, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Excused: Senator Day—1.

HOUSE BILL NO. 118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

Pertaining to the organization and operation of miscellaneous and mutual corporations.

The bill was read the second time by sections.

On motion of Senator Faulk, the rules were suspended, Engrossed House Bill No. 237 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 237, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Absent or not voting: Senator Stender—1.

Excused: Senator Day—1.

ENGROSSED HOUSE BILL NO. 237, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

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

Authorizing first class cities to contract with U. S. under Demonstration Cities and Metropolitan Development Act of 1966.

The bill was read the third time and placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 164, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Absent or not voting: Senator Andersen—1.

Excused: Senator Day—1.

ENGROSSED HOUSE BILL NO. 164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 9:55 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Saturday, February 7, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, February 7, 1970.

The Senate was called to order at 10:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Andersen. With the consent of the Senate, Senator Dore was excused. On motion of Senator Ryder, Senator Andersen was excused.

The Color Guard, consisting of Pages Roy Atwood, Color Bearer, and Ryan Durkan, presented the Colors. Doctor Henry S. Rahn, pastor of First Baptist Church of Olympia, offered prayer as follows:

"Eternal God our Father, As Thou doest move upon our minds and imaginations by Thy spirit, make sensitive our minds to Thy truth and our hearts to Thy Love. We thank Thee for bringing us to another day, for Thy watchful care through the night. We thank Thee especially for keeping safe the family of Senator Dore. Our Father, hold back the unrighteousness in our land, stay the forces of crime and evil. Strengthen all endeavor that seeks to bring about understanding equity and opportunity for all. Bless now these leaders in state government as they work the materials of the day. Through Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

February 6, 1970.

ENGROSSED HOUSE BILL NO. 26, relating to open spaces (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Bailey, Canfield, Connor, Donohue, Faulk, Foley, Gissberg, Guess, McCormack, Marquardt, Odegaard, Peterson (Ted), Pritchard, Ridder, Twigg, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

February 7, 1970.

ENGROSSED HOUSE BILL NO. 127, providing minimum pension for certain pensioners under supreme court judges' retirement act (reported by Committee on Labor and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Bailey, Connor, Durkan, Herr, Metcalf.

Passed to Committee on Rules and Joint Rules for second reading.

GUBERNATORIAL APPOINTMENTS

February 5, 1970.

GOODWIN CHASE, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1971 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

JOHN MOSIER, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1971 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

HARRY PRIOR, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1971 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

LEON BRIDGES, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1973 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Huntley, Lewis (Harry), McCormack, Ryder, Williams.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

MRS. DAVID GAISER, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1973 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

RICHARD P. WOLLENBERG, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1973 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Huntley, Lewis (Harry), Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

REV. MINEO KATAGIRI, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1975 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

MARION E. WILSON, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1975 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Huntley, Lewis (Harry), McCormack, Ryder, Wilson.

Passed to Committee on Rules and Joint Rules.

February 5, 1970.

J. SCOTT BARRON, to the position of Member of the Council on Higher Education, appointed by the Governor on August 15, 1969 for the term ending June 30, 1975 (reported by the Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 9,
 SUBSTITUTE HOUSE BILL NO. 60,
 SUBSTITUTE HOUSE BILL NO. 62,
 SUBSTITUTE HOUSE BILL NO. 312,
 SUBSTITUTE HOUSE BILL NO. 318,
 and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The House has passed:
 SENATE BILL NO. 15,
 SUBSTITUTE SENATE BILL NO. 28,
 ENGROSSED SENATE BILL NO. 61,
 SENATE BILL NO. 66,
 SENATE BILL NO. 81,
 SENATE BILL NO. 101,
 SENATE BILL NO. 129,
 ENGROSSED SENATE BILL NO. 132,
 ENGROSSED SENATE BILL NO. 141,
 ENGROSSED SENATE BILL NO. 145,
 ENGROSSED SENATE BILL NO. 164,
 ENGROSSED SENATE BILL NO. 179,
 SENATE BILL NO. 311,
 and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 273, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 6, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The House has failed to pass SENATE JOINT RESOLUTION NO. 6, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

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

Authorizing compensation for veterans of the Viet Nam conflict.
 Referred to Committee on Ways and Means--Appropriations.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, by Committee on Appropriations:
 Making appropriations.
 Referred to Committee on Ways and Means--Appropriations.

SUBSTITUTE HOUSE BILL NO. 60, by Committee on Revenue and Taxation:
 Enabling cities of first class over 150,000 not situated in class AA counties to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes.
 Referred to Committee on Ways and Means--Revenue and Taxation.

SUBSTITUTE HOUSE BILL NO. 62, by Committee on Revenue and Taxation:
 Relating to revenue and taxation.
 Referred to Committee on Ways and Means--Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 273, by Representatives Richardson and Kuehnle: Pertaining to the business and occupation tax as applied to real estate brokers. Referred to Committee on Ways and Means—Revenue and Taxation.

SUBSTITUTE HOUSE BILL NO. 312, by Committee on Appropriations; Providing for efficient organization and for the effective operation of the state building authority. Referred to Committee on Ways and Means—Appropriations.

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Appropriations: Authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education. Referred to Committee on Ways and Means—Appropriations.

MOTION

At 11:30 a.m., on motion of Senator Bailey, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:00 p.m. At 1:05 p.m., on motion of Senator Bailey, the Senate recessed until 2:55 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:55 p.m.

MOTION

On motion of Senator Greive, the Senate moved to consider the standing committee report on Substitute House Bill No. 33.

REPORT OF STANDING COMMITTEE

February 6, 1970.

SUBSTITUTE HOUSE BILL NO. 33, adopting a supplemental budget (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments: On page 2, section 1, delete line 28 and insert the following:

“mainder of the 1969-71 biennium and that of this \$560,000 the sum of \$50,000, or so much thereof as may be necessary, shall be made available for the purpose of planning pilot programs in environmental education at the Northwest Outdoor Laboratory on Whidbey Island; and, the sum of \$90,000, or so much thereof as may be necessary, shall be made available for conducting pilot programs in environmental education at the Cispus Educational Center near Randle: PROVIDED, That such sums shall be available only through contractual agreements with the Superintendent of Public Instruction and such agreements shall be filed with the Legislative Budget Committee: PROVIDED FURTHER, That for purposes of distributing general fund appropriation for general apportionment, through the school equalization formula, the amount of adjusted local property tax revenues computed for any school district shall not exceed the amount of the revenues that would be produced using the previous year’s indicated ratio by more than five percent: \$1,150,000.00” On page 3, section 1 between lines 10 and 11 insert the following:

“CANAL COMMISSION

Table with 2 columns: Description and Amount. Rows include General Fund Appropriation for the period of July 1, 1970 through June 30, 1971 (\$ 33,142) and General Fund — Harbor Improvement Account appropriation for the period July 1, 1970 through June 30, 1971 (\$ 10,000).

On page 3, section 1, between lines 24 and 25 insert the following:

“DEPARTMENT OF INSTITUTIONS HEADQUARTERS

General Fund Appropriation: PROVIDED, That \$92,000 shall be allocated from the amounts appropriated in chapter 282, Laws of 1969 ex. sess. from the Department of Institutions Headquarters appropriation . . . \$ 92,000”
On page 3, section 1, between lines 27 and 28 insert the following:

“STATE AUDITOR

General Fund Appropriation for salaries and wages. \$ 59,162”

On page 4, section 1, line 5, after “1970” insert the following:
“: PROVIDED FURTHER, That from the effective date of this act through June 30, 1971, \$300,000 or as much thereof as necessary is appropriated to the general assistance program, and shall be used to pay medical costs of indigent prisoners of county and city jails or juvenile facilities in accordance with eligibility standards to be developed by the Department.”

On page 4, section 1, line 18, strike “\$4,800,000.00” and insert “\$16,800,000.00”
On page 7, section 2, line 2, after the word “funds” insert the following:

“: PROVIDED That the sum of \$10,000.00, or so much thereof as may be necessary, shall be expended on the establishment and operation of a vocational and technical training center at Paine Field.”
On page 7, after line 11, insert the following new sections:

“NEW SECTION. Sec. 3. There is hereby appropriated from the general fund to the State Board for Community College Education the sum of \$13,000 or so much thereof as is deposited in the state general fund from the pending sale to Bonneville Power Administration of the following described real property and any fixtures thereon, whichever amount is the lesser, for construction, repairs, remodeling, land acquisition, equipment and other capital improvements for Peninsula Community College district number 1:

A 10.24 acre parcel of land in the S½ NE¼ NW¼ of Section 14, Township 30 North, Range 6 West, Willamette Meridian, Clallam County, Washington, described further in the official offer of the State Board for Community College Education to convey the property to the Bonneville Power Administration, dated January 8, 1970, and on file in the offices of the State Board.

NEW SECTION. Sec. 4. There is hereby appropriated from the general fund to the State Board for Community College Education the sum of \$950,000 or so much thereof as is deposited in the state general fund from the pending sale to the City of Seattle of the following described real property and any fixtures thereon, whichever amount is the lesser, for construction, repairs, remodeling, land acquisition, equipment and other capital improvements for Seattle Community College district number 6:

All of Block numbered 11 of Hill Tract Addition to the City of Seattle, King County, Washington; bounded on the East by 19th Avenue, on the South by Main Street, on the West by 18th Avenue, and on the North by the imaginary center line of Washington Street, extended Easterly to its intersection with 19th Avenue.”

Renumber the remaining sections consecutively.

On page 11, section 4, between lines 21 and 22 insert the following:

“CHARLES KEVIS in full settlement for medical expenses and loss of personal property \$ 129.75

CHESTER A. HOGAN in full settlement for refund on cigarette excise taxes paid on cigarette packages destroyed by fire \$ 1,058.79”

In new section, section 4, on page 12, between lines 22 and 23, insert the following:

“MARGARET SCHEIBER for refund of moneys paid into Judges’ Retirement Fund by Judge Virgil V. Scheiber, deceased, as full settlement \$ 6,059.86”

On page 16, section 4, between lines 16 and 17, insert the following:

“LEGISLATIVE COUNCIL

General Fund Appropriation: PROVIDED, That the amount herein appropriated shall be used to study health care costs including but not restricted to hospital costs \$ 20,000.00”
On page 16, section 4, between lines 16 and 17 insert the following:

“SENATE EXPENSES

General Fund Appropriation \$ 150,000.00”

On page 16, section 5, line 18, after “is” strike all of the material through “expenses:” on line 29 and insert the following:

“directed to allocate by July 1, 1970, from his general fund appropriation, \$2 million dollars for urban, racial and disadvantaged programs and the State Superintendent is authorized to allocate an additional \$4,463,000 for such racial, urban, and disadvantaged programs provided that the current level of per weighted pupil

guarantee shall not be reduced by reason of the provisions of this section."

On page 17, section 6, line 10, after the word "this" and before "or" strike the word "bill" and insert the word "act"

Signed by: Senators Durkan, Chairman; Bailey, Connor, Day, Donohue, Foley, Francis, Greive, Guess, Lewis (Harry), McCormack, Odegaard, Peterson (Ted), Pritchard, Ridder, Sandison, Stortini, Twigg, Walgren, Washington.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 33 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the Chair, for the purpose of considering Substitute House Bill No. 33.

COMMITTEE OF THE WHOLE

Substitute House Bill No. 33 was considered in the Committee of the Whole and reported back to the Senate, Senator Henry presiding, with the recommendation that it do pass.

On motion of Senator Henry, the report of the committee was adopted.

On motion of Senator Henry, the reading had in the Committee of the Whole was considered the second reading of Substitute House Bill No. 33.

On motion of Senator Durkan, all Ways and Means committee amendments were adopted with the exception of the following:

"CHESTER A. HOGAN in full settlement for refund on cigarette packages
destroyed by fire \$ 1,058.79"

On motion of Senator Greive, the rules were suspended, the second reading considered the third and Substitute House Bill No. 33, as amended by the Senate, was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Ryder: "Will Senator Durkan yield? Senator, this bill does not supply any money to the cities, or the counties, is this correct but the ten million dollars is out the window with the passage of this bill?"

Senator Durkan: "Mr. President, this is an appropriation bill. There is no appropriation in here to cities."

Senator Ryder: "How much is this out of balance?"

Senator Durkan: "Mr. President and members of the Senate, I would say probably it will take at least ten million dollars in revenue to balance it. It could be less. It could be a little more. When you are talking about a 2.5 billion dollar budget, it is difficult to resolve when you get down that close."

Senator Ryder: "Mr. President, another question, Senator. I have here a report from the budget committee in which they analyze the budget as it came over from the House. If I understand your remarks right, you have added about two and one-half million dollars to the budget as it came over from the House."

Senator Durkan: "Twelve and a half."

Senator Ryder: "Pardon, yes, I am sorry, twelve and a half million dollars there. The staff of the budget committee has indicated here that there would have to be approximately fifteen to sixteen million dollars worth of taxes in order to balance the budget that was proposed in the House. Do you agree to that? That is about five million dollars on the B&O on the banks and ten million six on the liquor tax."

Senator Durkan: "Mr. President and members of the Senate, Senator Ryder, let me answer it the way that I answered it to Senator Atwood. The budget can be balanced as far as I am concerned with the passage of the two measures in the House and some type of local enabling for counties and cities and/or using the ten million which the cities presently have."

Senator Ryder: "In other words, you are taking away the ten million from the cities?"

Senator Durkan: "Mr. President, the answer is as proposed by the Governor, yes, this is correct."

Senator Ryder: "So then you would be willing to support it if not the bills that are in the House at least bills that would raise that much money as they come over here and then would also support some sort of relief to the cities?"

Senator Durkan: "Mr. President, Senator Ryder, you are a dear and trusted friend. We have been together for thirty days. I think I made it clear to you, to the Governor, the

Republican Party and to my own members how I feel about the local sales tax. I have said and I am saying again to you, I will support a balanced budget. Now if I cannot make it any clearer than that, Senator, you are not the astute senior Republican Caucus Chairman who serves on the great Ways and Means Committee.”

Senator Ryder: “Thank you, Senator Durkan, I just wanted to make it clear.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 33, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Knoblauch, McCormack, McCutcheon, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Walgren, Washington, Williams, Wilson—33.

Voting nay: Senators Atwood, Cooney, Day, Guess, Holman, Huntley, Keefe, Lewis (Brian), Lewis (Harry), McDougall, Matson, Newschwander, Stender, Twigg, Woodall—15.

Excused: Senator Dore—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

APPOINTMENT OF CONFERENCE COMMITTEE

President Cherberg appointed Senators Atwood, Durkan and Dore as members of the conference committee on Engrossed Substitute House Bill No. 33 should the House request a conference on the bill during the weekend recess.

MOTION

On motion of Senator Marquardt, the Senate returned to the sixth order of business.

SENATE RESOLUTION: 1970-EX-26

By Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson and Woodall:

WHEREAS, Security in one's home, his person and particularly his loved ones is one of the cornerstones of American liberty; and

WHEREAS, Senator Fred Dore has at all times evidenced tolerance and compassion for all groups; and

WHEREAS, Unknown persons attempted to dynamite his home in his absence endangering the lives of his wife and five children residing therein; and

WHEREAS, Such conduct is as cowardly and dastardly as it is criminal;

BE IT THEREFORE RESOLVED, By the Senate, that we urge all law enforcement agencies in the City of Seattle, King County, to exert every effort to apprehend and obtain the conviction of the guilty parties and the Senate extends its sympathy and understanding to Senator Fred Dore and his family and urge any and all private citizens who may have any information which could possibly assist in the apprehension of the guilty to convey this information to law enforcement agencies immediately.

On motion of Senator Marquardt, the resolution was adopted.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 15,
 SUBSTITUTE SENATE BILL NO. 28,
 SENATE BILL NO. 61,

SENATE BILL NO. 66,
 SENATE BILL NO. 81,
 SENATE BILL NO. 101,
 SENATE BILL NO. 129,
 SENATE BILL NO. 132,
 SENATE BILL NO. 141,
 SENATE BILL NO. 145,
 SENATE BILL NO. 164,
 SENATE BILL NO. 179,
 SENATE BILL NO. 311.

SENATE RESOLUTION: 1970-EX-27

By Senators Stender, Ridder and Herr:

WHEREAS, This legislature heartily endorses and supports good will visits to other lands by groups representative of the state of Washington; and

WHEREAS, No group could better represent our state than the Tyee High School concert band of Highline school district, an exceptional musical organization, which will be touring Europe from June the eighth until July the twelfth of this year, visiting and playing concerts in such places as Kassel and Berlin in Germany, Amsterdam in the Netherlands, Copenhagen in Denmark, London, England, and Paris, France; and

WHEREAS, The members of this band, acting individually and in concert, have raised all of the funds necessary for the tour through various business ventures, including selling Christmas trees, candy, and magazines, washing cars and of course, giving concerts; and

WHEREAS, This tour will generate for the state of Washington, the nation, and every citizen thereof a tremendous amount of good will; and

WHEREAS, The efforts and talent of the Tyee High School concert band has been recognized by this State's chief executive, the band having been declared an official representative of the great state of Washington by the Honorable Daniel J. Evans, our Governor; and

WHEREAS, We are gratified to learn that the Tyee High School concert band will give a concert for the pleasure of the legislature and those attendant thereon, Monday, February 9th, in the rotunda from noon until 1:00 p.m.;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the members of the Tyee High School concert band be commended for their outstanding ability as musicians, their efforts in organizing and arranging this good will concert tour of Europe and their personification of the best in the youth of this nation; that our best wishes for a splendid tour is hereby recorded; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Tyee High School and members of the communications media.

On motion of Senator Stender, the resolution was adopted.

MOTION

At 4:00 p.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, February 9, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-NINTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 9, 1970.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Lowell Peterson, Color Bearer, and Dorene Curtis presented the Colors. Reverend Charles Loyer, pastor of Westminster Presbyterian Church of Olympia, offered prayer as follows:

"Our heavenly Father, we thank You for the promise of each day; for the mere joy of living; for colleagues and friends; for work to perform and the skill and strength to perform it. And now may Your Spirit pervade this chamber today. Give to the legislators a strength of conviction blended with an openness of mind, a will to stand tempered by a wisdom that knows when to compromise. Create here an atmosphere that will make for the meeting of minds and the passage of the best possible legislation now. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

MESSAGE FROM THE HOUSE

February 7, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 42,
HOUSE BILL NO. 46,
HOUSE BILL NO. 63,
HOUSE BILL NO. 66,
HOUSE BILL NO. 126,
HOUSE BILL NO. 293,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President has signed:

HOUSE BILL NO. 42,
HOUSE BILL NO. 46,
HOUSE BILL NO. 63,
HOUSE BILL NO. 66,
HOUSE BILL NO. 126,
HOUSE BILL NO. 293.

MESSAGES FROM THE HOUSE

February 7, 1970.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 23, and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 7, 1970.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 103, and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 7, 1970.

Mr. President: The House has concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 129, and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 7, 1970.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 304, and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

SENATE RESOLUTION: 1970-EX-21

By Senators Metcalf, Knoblauch, Ridder and Faulk:

WHEREAS, The need for accurate information is of paramount importance and growing year by year; and

WHEREAS, Top level government decision makers, legislators, legislative committees, educators, and boards of education want to improve education, but they do not always have the accurate facts, trends, and projections with which to make proper decisions; and

WHEREAS, Much valuable information is being collected, recorded, and reported, but is often not available in useful form to the appropriate people at the right time; and

WHEREAS, Local school districts are making individual efforts in the development of data systems; and

WHEREAS, Implementation of a state-wide educational information system will require the establishment of an information network leading from the data sources to the larger organizational levels; and

WHEREAS, This information network should be designed so that information may flow freely in any volume, form, sequence, or combination required for each user of the system; and

WHEREAS, Several states have recognized the need for providing funds for the development and implementation of comprehensive educational information systems; and

WHEREAS, Progress must be made in developing standard procedures of reporting methods in order to determine adequate levels of information support; and

WHEREAS, The cost of the development of such a coordinated information system must be considered in addition to the cost of operation of the present information system;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the State Superintendent of Public Instruction be instructed to develop for presentation to the 1971 Session of the Legislature the anticipated cost of: (1) The detailed assessment and determination of information needs at the state level and intermediate and local school district levels; (2) The specific design of a coordinated system for collection and transmitting the needed information, with special attention to (a) the automation of the process, and (b) the potential role of the state-wide system of intermediate school districts (in the operating system); and (3) A pilot test of the system in one or more selected local and intermediate school districts. The Superintendent, during the process of collecting data for such presentation, shall inform himself of activities related thereto carried on by the Temporary Special Levy Study Commission and the Joint Committee on Education and include in his presentation material thus obtained when pertinent thereto.

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit a copy of this Senate Resolution to the State Superintendent of Public Instruction.

The Senate resumed consideration of Senate Resolution 1970-EX-21, and the motion by Senator Metcalf that the resolution be adopted, which was held from February 5, 1970.

On motion of Senator Faulk, the following amendments by Senators Faulk and Gissberg were adopted:

On page 2, line 2, after "Instruction" insert "in concert with the state data processing advisory committee", and on line 3, after "Legislature the" insert "plans for and the"

On page 2, line 10, after "Superintendent" insert "in concert with the data processing advisory committee", and on line 17, after "Instruction" insert "and the state data processing advisory committee"

The motion by Senator Metcalf carried and the resolution as amended was adopted.

Senator Mardesich moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-24

By Senators Mardesich, Gissberg and Metcalf:

WHEREAS, It is the declared policy of this state that our educational program shall include a comprehensive expanded program of vocational and technical training; and

WHEREAS, The federal government has declared as surplus property certain buildings at Paine Field; and

WHEREAS, These buildings include machine shops, data processing, gymnasium,

swimming pool, classrooms, housing, and other buildings which can be used for educational purposes; and

WHEREAS, Federal law provides that Washington Community College, District 5, could obtain these facilities at no cost; and

WHEREAS, Said college district has prepared an application for said facilities; and

WHEREAS, Said application must be approved and supported by the State Board for Community Colleges; and

WHEREAS, Federal funds are available to assist in operating such a vocational and technical training school;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the State Board for Community Colleges be requested to approve and expedite the application of District 5 for the establishment of a vocational and technical training center at Paine Field.

BE IT FURTHER RESOLVED, That the State Board for Community Colleges confer with and report to the Legislative Budget Committee as soon as possible on matters pertaining to the establishment of said vocational and technical center at Paine Field.

On motion of Senator Sandison, the following amendment was adopted:

On page 1, paragraph 8, line 2, strike "approve and expedite" and insert "consider"

Senator McCormack moved adoption of the following amendment:

Strike the last paragraph of the resolution.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator McCormack yield? Senator, in the motion which you have made, it would appear to strike the last paragraph. I call to your attention that this does not give the budget committee any veto power. It simply gives the budget committee a first look, you might say, at the budgetary problems. I see no conflict at all between this last paragraph and the intent that Senator Mardesich has described. I would be hopeful that you withdraw your amendment."

Senator McCormack: "Mr. President, members of the Senate, I am a member of the budget committee. I have sat in on these discussions. I am also a member of the higher education committee and the higher education council and we sit on these there. There is a little misconception of the relative functions of these committees. The function of the budget committee is not to go in and pre-judge educational matters in advance. This is exactly what we are getting into with this sort of a resolution. We are trying to sidetrack and bypass the two committees that have been established under the law for doing this job.

"Senator Mardesich says that they should be called to the attention of the budget committee because of the fact that it is a satellite campus. I point out to him that by definition of 'satellite campus,' it is a place where they have some classrooms and that there are literally hundreds of these in the state. Seattle Community College has about a hundred in King county. Spokane Community College has them scattered all over northeastern Washington. Columbia Basin College has three or four. Big Bend has several. There are many others and probably you know about them. There is no reason why we should single out any one of them and put the state board for community colleges under a special pressure to comply because they have to report to the budget committee.

"In working out their educational programs for campus needs, they do not go to the budget committee first. First of all the state board for community colleges is constituted and given that responsibility by law and also by law we have established the higher education committee and the higher education council, and they consider these matters. We do not bypass all these committees and go directly from the floor of this Senate to coerce, so to speak, the state board into coming back to the budget committee to put this question to special pressure. That is why I object to that particular paragraph."

Further debate ensued.

The motion by Senator McCormack lost and the amendment was not adopted.

The motion by Senator Mardesich carried and the resolution, as amended, was adopted.

Senator Faulk moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-25

By Senators Faulk, Stortini, Francis, Day, Peterson (Ted), Elicker, Dore and Connor:

WHEREAS, Throughout the nation there are millions of one-parent families and families where two parents must work in order to provide the necessities of life; and

WHEREAS, There is a growing concern for the children which through such necessity have been left without proper care and supervision; and

WHEREAS, The President of the United States in his plans for reforming the welfare system has put heavy emphasis on quality day care centers offering not just custodial care but a true developmental program; and

WHEREAS, A major expansion of day care centers would make it possible for mothers on public assistance to take jobs by which they could ultimately support themselves and their children; and

WHEREAS, There is an urgent need for increasing the number of quality child care facilities in the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Council Committee on Public Health and Public Assistance in conjunction with this experimental project make a study of present day care facilities throughout the state. The inventory should include the number of centers and number of children served as well as numbers on waiting lists; the funding of present facilities; the variety and quality of programs offered; the geographical areas of greatest need; and the possibilities for expansion of facilities in churches, schools, community club buildings, et cetera. The Committee should further be in communication with the local communities that are now organizing themselves into Community Coordinated Child Care Councils (the "4 C's").

BE IT FURTHER RESOLVED, That the Legislative Council Committee on Public Health and Public Assistance shall report its findings and recommendations as to suggested legislative action to the members of the House and the Senate prior to the 1971 Legislative Session.

Debate ensued.

POINT OF INQUIRY

Senator Peterson (Ted): "Will Senator Faulk yield? Senator, I brought up the question the other day of Senator Dore when that went through. We had been promised a day care center out there. I am sure that they have been publicized enough. There is enough people and everyone seems to know what the policy is and what the day care centers are for. I cannot quite see why you need a resolution to further that. There was one hundred forty-eight or one hundred fifty thousand dollars in there. Really all you need is more money. Isn't it more appropriations? That is what he said at least the other day."

Senator Faulk: "Senator, I think what Senator Dore was talking about was an experimental project in class A and King county for certain day care facilities.

"The point of this resolution is that there may be a need for more money but I think there is a greater need for a study to determine what are the needs. If you look at your UGN's in King county, they are performing this kind of a study right now for King county because they see the need for one.

"All I am trying to do is have this kind of expertise, number one, brought to the entire state to all the urban areas of the state and number two, make the legislature aware of what we are doing and what are the needs in this area because I think it is something if we are going to ever eliminate public assistance rolls or at least reduce those that this is one way of doing it. Did I answer your question, Senator?"

Senator Peterson (Ted): "Mr. President, Senator, we just cannot wait for that. This is something which has to come about now and I would rather petition for more money along with the project that Senator Dore has. There is no reason why the core area should have all the money and all the day care money when we need one so badly out in the area there for those working mothers. If you are going in, how long?"

Senator Faulk: "Until the 1971 session."

Further debate ensued.

MOTION

On motion of Senator Dore, Senate Resolution 1970-EX-25 was ordered held for Tuesday, February 10, 1970.

Senator Washington moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-28

By Senators Washington, Ridder, McCutcheon, Odgaard and Bailey:

WHEREAS, Because of the personalized quality of education in small high schools, some students attending the small high schools in the state of Washington might receive a better education were they to attend schools of a smaller size located in small towns and rural areas; and

WHEREAS, Because of the diversified curriculum available in large school systems, some students attending the small high schools might be better served educationally by attending larger schools in nearby cities or major urban centers; and

WHEREAS, Chapter 130, Laws of 1969, has provided for interdistrict cooperation for the development of joint programs between school districts; and

WHEREAS, Exchange programs between small high schools and larger schools in nearby cities and major urban centers would be of benefit to all of the students involved; and

WHEREAS, No study has been made of the possibility of implementing such exchange programs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Joint Committee on Education be requested to study the feasibility of developing cooperative projects between small and large high schools for the mutual exchange of students and report its findings to the 1971 Session of the Washington State Legislature;

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Executive Secretary of the Joint Committee on Education.

Debate ensued.

POINT OF INQUIRY

Senator Newschwander: "Will Senator Washington yield? Senator, with this study are you suggesting perhaps bussing kids from urban areas to urban areas?"

Senator Washington: "No, this is not necessarily the thought behind it at all. It would not necessarily rule out something like that but certainly that is not the anticipation. Very possibly in some of the rural areas I would presume it would require transportation on the part of the parents or the persons involved because I do not believe there would be a bus route that would, for instance, go between a smaller school and a larger school. I cannot visualize the bussing problem being involved in this study. I think the distance between and the fact that there are no buses now established would probably preclude that. That is not the thought behind the resolution."

Further debate ensued.

MOTION

On motion of Senator Washington, Senate Resolution 1970-EX-28 was ordered held for Tuesday, February 10, 1970.

SENATE RESOLUTION: 1970-EX-29

By Senators Lewis (Brian), Holman, Twigg, Ryder, Dore, Herr and Ridder:

TO THE HONORABLE RICHARD M. NIXON, PRESIDENT OF THE UNITED STATES, THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND THE CIVIL AERONAUTICS BOARD:

WHEREAS, The Pacific Northwest Ports of Puget Sound, state of Washington have been historically closer to the Orient over great circle routings than any other United States ports in the contiguous forty-eight states; and

WHEREAS, The Seattle-Tacoma International Airport now shares this unique position as an aerial port for movement of passengers and cargo; and

WHEREAS, Air passenger transportation has already largely replaced sea transportation and air cargo and air mail transportation is growing faster than any other segment of the explosive air transportation industry; and

WHEREAS, The potential for air transportation of passengers and mail and cargo between the United States and the Orient is virtually untapped and will undergo unprecedented long range growth and development, by the most conservative predictions; and

WHEREAS, Air transportation is undergoing rapid technological change which now as never before and in the future will encourage passenger, mail and cargo transportation over the shortest, most economical, great circle distance between the major aerial ports of the United States mainland and the Orient; and

WHEREAS, President Nixon recently recommended that the Civil Aeronautics Board eliminate from consideration competitive air service between Seattle/Tacoma and Tokyo, the shortest and most direct route linking major cities on the United States mainland with the Orient;

NOW, THEREFORE, The Senate respectfully prays that franchises for both United States domestic and foreign-flag carriers will be approved and issued to promote the greatest possible competition over the shortest, most economical route for passengers, mail and cargo between the United States mainland and the Orient. This is the route between Seattle-Tacoma International Airport and Tokyo, Japan and other major oriental air gateways.

BE IT RESOLVED, That copies of this resolution be transmitted to Richard M. Nixon, President of the United States; William Rogers, Secretary of State; John Volpe, Secretary of Transportation; the Members of the Civil Aeronautics Board; and, each member of Congress from the state of Washington.

On motion of Senator Lewis (Brian), the resolution was adopted.

PERSONAL PRIVILEGE

Senator Dore: "Mr. President and members of the Senate, I guess you have been reading the papers and know what happened last Friday night around 11:20 when an explosion occurred in my house. I, of course, was not able to join you last Saturday; and I want to thank you for your thoughtfulness and generosity in the resolution circulated by Senator Marquardt and others in order to express your sympathy for the situation that myself and my family were in. I also would like to thank the many state officials who called me and wrote me and the people from all over the state as far as Spokane, Walla Walla, and Vancouver who called myself and my wife expressing their concern. I did not know these people at all. The compassion they expressed of the situation that occurred, I want to thank them from the bottom of my heart. Of course, the main thing is that to the goodness of the Lord that no one was injured which might have been a very tragic situation. I would also like to take the opportunity to thank the number of fine policemen on the job, their efficiency and sympathy and the protection they have given us during the past few days.

"When these things occur, I guess, when you have a mentally retarded child or perhaps if your husband is maimed and cannot work, you try to think what can you do as an individual that might change the situation because unless a man can be safe in his home and feel that he can be safe there when he goes there or when he leaves that his family will be safe behind him, the various environmental bills we may pass, recreational bills, or educational bills really are quite worthless. So as a legislator, I had to kind of re-examine my thinking as I came down today to think in terms of what I might do to perhaps help in some small way the situation that we have not only in Seattle but in the other large cities and some of the smaller cities of our state. I think we have to recognize the facts of life that we are totally undermanned police-wise in our cities. In fact, the first prowler car on the scene came from Madison and Broadway about five miles away. There is no question about it, having studied the situation, we know we are in Seattle at least some three hundred men under the national average. Three hundred men under the national average protect our citizens during the daytime and the nighttime. Now, as reluctant as I have been in the past to express support of a bill before us, enabling legislation of the half cent which would enable the cities to levy this particular half cent, I see now that if we are going to have that protection we must give the cities some money. They cannot continue to be three hundred men undermanned. For that reason I wish to express today that although my concern was to retain the money at the state level for welfare and other purposes, which are very meritorious, I think the number one concern of all of us is safety. Although I am concerned about myself and my family, I am also concerned about my neighbors and other people in the city because if it can happen to me it can happen to anyone. Of course, once you have fear, you cannot have enjoyment. You cannot enjoy the various bills that we may enact here at the State level, and so I am hopeful that we will be able to quickly pass that particular measure and that our city mayors and councilmen will assure us that this money will be used for more police protection, more policemen so all of us can be safe in our homes both during the nighttime and during the daytime.

"Again, many thanks to all of you from the bottom of my heart. You all signed this resolution, and I want to commend the thin line of blue of the Seattle Police Department and the job they are doing and the concern of all our public servants. All of you in this chamber know that being a public official today has a great deal of challenge and responsibility. With it, of course, comes the other side of the coin that you are exposed to at various times because of things you may say or do on this floor. We live in explosive times, and that is part of the job today. You are all courageous men willing to serve in spite of these challenges and these possible threats, and today I would like to again thank you and commend you for your work and your interest in the job you are doing."

MOTION

At 1:05 p.m., on motion of Senator Greive, the Senate recessed until 2:15 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:15 p.m.

MOTION

At 2:20 p.m., on motion of Senator Bailey, the Senate recessed until 3:25 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 3:25 p.m.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 1 with the following amendments:

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

On page 1, following the enacting clause, strike the remainder of the act and substitute thereof the following sections:

"NEW SECTION. Section 1. The legislature recognizes, and declares it to be the policy of this state, that it is a fundamental and inalienable right of the people of the state of Washington to live in a healthful and pleasant environment and to benefit from the proper development and use of its natural resources. The legislature further recognizes that as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state.

NEW SECTION. Sec. 2. In recognition of the responsibility of state government to carry out the policies set forth in section 1 of this 1970 amendatory act, it is the purpose of this chapter to establish a single state agency with the authority to manage and develop our air and water resources in an orderly, efficient, and effective manner and to carry out a coordinated program of pollution control involving these and related land resources. To this end a department of environmental quality is created by this chapter to undertake, in an integrated manner, the various water regulation, management, planning and development programs now authorized to be performed by the department of water resources and the water pollution control commission, the air regulation and management program now performed by the state air pollution control board, the solid waste regulation and management program authorized to be performed by state government as provided by chapter 70.95 RCW, and such other environmental, management protection and development programs as may be authorized by the legislature.

NEW SECTION. Sec. 3. As used in this chapter, unless the context indicates otherwise:

- (1) "Department" means the department of environmental quality.
- (2) "Director" means the director of the department of environmental quality.
- (3) "Council" means the environmental quality advisory council.

NEW SECTION. Sec. 4. There is created a department of state government to be known as the department of environmental quality.

NEW SECTION. Sec. 5. The executive and administrative head of the department shall be the director. The director shall be appointed by the governor with the consent of the senate. He shall have complete charge of and supervisory powers over the department. He shall be paid a salary fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session,

the governor shall make a temporary appointment until the next meeting of the senate at which time he shall present to that body his nomination for the position.

NEW SECTION. Sec. 6. The following powers, duties and functions are hereby transferred to the department of environmental quality created in section 4 of this 1970 amendatory act:

(1) All powers, duties and functions authorized to be performed by the water pollution control commission, or the director thereof, by the terms of chapter 90.48 RCW or otherwise, including those assigned by action of this 1970 legislature;

(2) All powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of this 1970 legislature;

(3) All powers, duties and functions authorized to be performed with reference to air pollution by the department of health, or the director thereof, and by the state air pollution control board or its executive director, by terms of chapter 70.94 RCW, the Washington Clean Air Act, or otherwise, including those assigned by this 1970 legislature; and

(4) All powers, duties and functions authorized to be performed by the department of health, or the director of health, involving the control of pollution problems created by the disposal of solid waste, including those assigned by action of this 1970 legislature, and all powers, duties and functions to be exercised and performed by a department of environmental quality by the terms of chapter 70.95 RCW, including those assigned by this 1970 legislature.

NEW SECTION. Sec. 7. The administrative procedure act, chapter 34.04 RCW, shall apply to the review of decisions by the director to the same extent as it applied to decisions issued by the directors of the various departments whose powers, duties and functions are transferred by this 1970 amendatory act to the department of environmental quality. The administrative procedure act shall further apply to all other decisions of the director as in that act provided.

NEW SECTION. Sec. 8. The director of the department of environmental quality is authorized to adopt such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

NEW SECTION. Sec. 9. All powers, duties and functions transferred to the department by the terms of this 1970 amendatory act shall be performed by the director: PROVIDED, That the director may delegate, by appropriate rule or regulation, the performance of such of his powers, duties, and functions, other than those relating to the adoption, amendment or rescission of rules and regulations, to employees of the department whenever it appears desirable in fulfilling the policy and purposes of this chapter.

NEW SECTION. Sec. 10. In order to obtain maximum efficiency and effectiveness within the department, the director may create such administrative divisions within the department as he deems necessary. The director shall appoint a deputy director as well as such assistant directors as shall be needed to administer the several divisions within the department. The deputy director shall have charge and general supervision of the department in the absence or disability of the director. In the case of a vacancy in the office of director, the deputy director shall administer the department until the governor appoints a successor to the director or an acting director. The officers appointed under this section and exempt from the provisions of the state civil service law as provided in section 11 of this 1970 amendatory act, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

NEW SECTION. Sec. 11. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of environmental quality, to the director, his confidential secretary, his deputy director, and not to exceed six assistant directors.

NEW SECTION. Sec. 12. The director shall have the power to employ such personnel as may be necessary for the general administration of this chapter: PROVIDED, That except as specified in section 11 of this 1970 amendatory act, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

NEW SECTION. Sec. 13. In addition to any other powers granted the director, he may undertake studies dealing with all aspects of environmental problems involving land, water, or air: PROVIDED, That in the absence of specific legislative authority, such studies shall be limited to investigations of particular problems, and shall not be implemented by positive action: PROVIDED FURTHER, That the results of all such studies shall be submitted to the legislature prior to thirty days before the beginning of each regular session.

NEW SECTION. Sec. 14. The director in carrying out his powers and duties under this chapter shall consult with the department of health and the state board of health, or their successors, insofar as necessary to assure that those agencies concerned with the preservation of life and health may integrate their efforts to the fullest extent possible and endorse policies in common.

NEW SECTION. Sec. 15. The director, whenever it is lawful and feasible to do so, shall consult and cooperate with the federal government, as well as with other states and Canadian provinces, in the study and control of environmental problems. On behalf of the department, the director is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

NEW SECTION. Sec. 16. Whenever any records or other information furnished under the authority of this chapter to the director, the department, or any division of the department, relate to the processes of production unique to the owner or operator thereof, or may affect adversely the competitive position of such owner or operator if released to the public or to a competitor, the owner or operator of such processes or production may so certify, and request that such information or records be made available only for the confidential use of the director, the department, or the appropriate division of the department. The director shall give consideration to the request, and if such action would not be detrimental to the public interest and is otherwise within accord with the policies and purposes of this chapter, may grant the same.

NEW SECTION. Sec. 17. In order to provide advice and guidance to the director of the department of environmental quality and in order better to coordinate the activities of the department of environmental quality with other state agencies concerned with problems of environmental quality, there is created an environmental quality advisory council composed of fifteen members as follows:

- (1) The commissioner of public lands;
- (2) The director of agriculture;
- (3) The director of commerce and economic development;
- (4) The director of fisheries;
- (5) The director of game;
- (6) The director of health;
- (7) The director of highways;
- (8) Three public members to be appointed by the governor as follows:

(a) One public member shall be a representative of organized labor and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of organized labor of the state.

(b) One public member shall be a representative of the business community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the business community of the state.

(c) One public member shall be a representative of the agricultural community and shall be selected by the governor from a list of not less than three names submitted to the governor by any organization state-wide in scope which through its affiliates embraces a cross section and a majority of the agricultural community of the state.

(d) Five persons representing the public at large. The eight public members shall be appointed by the governor and shall serve continuously during the full length of the appointing governor's term, and until such further time as a replacement has been made. Any vacancy occurring in a position occupied by a public at large member shall be filled through appointment by the governor within ninety days from the date of the vacancy. The chairman of the council shall be appointed by the governor from among the public at large membership. The chairman shall conduct the council's meetings in accordance with such rules as the council may prescribe. In the absence of the chairman, the members of the council shall select an acting chairman to carry out the duties of the chairman.

NEW SECTION. Sec. 18. The council shall meet quarterly at a date and place of its choice, and at such other times as shall be designated by the director or upon the written request of a majority of the council. Public members of the council shall receive twenty-five dollars per diem for each day or major portion thereof actually spent in attending to their duties as council members; and, in addition, they shall be entitled to reimbursement and for their travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 19. It shall be the duty of the members of the environmental quality advisory council to provide advice and guidance to the director on each of the following:

(1) Rules and regulations, other than those relating to procedural matters, proposed for adoption by the director in accordance with procedures of chapter 34.04 RCW.

(2) Any comprehensive plan or program proposed for adoption by the director pertaining to an environmental management activity.

(3) Any proposal developed for submission to the legislature as a departmental request bill.

(4) Any other matter pertaining to the activities of the department of environmental quality submitted by the director for which advice and guidance is requested.

NEW SECTION. Sec. 20. In matters submitted to the council for advice and guidance, as set forth in section 19 of this 1970 amendatory act, it shall be the responsibility of the director to accompany such request with a statement of the background occasioning the request, together with the director's proposal for dealing with the same. Each member shall individually submit to the director in writing his views within such time as the director shall prescribe. In considering a matter submitted to it by the director, the council shall conduct such public hearings and make such investigations as it deems necessary. The secretary of the council shall be the director, or an employee of the department designated by the director. It shall be the duty of the secretary to act as liaison between the council and department as well as other state agencies; to prepare the minutes of the council; and otherwise to assist the council. The director shall furnish to the council such staff and facilities as may be necessary to fulfill its duties. He shall submit to the governor during July of each year, a report containing a summary of the advice and guidance rendered by the council during the preceding twelve month period.

NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory council may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members.

NEW SECTION. Sec. 22. All employees and personnel classified under chapter 41.06 RCW, the state civil service law, and engaged in duties pertaining to the functions transferred by this chapter shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

NEW SECTION. Sec. 23. All reports, documents, surveys, books, records, files, papers or other writings in the possession of the department of health or state board of health pertaining to air pollution, in the possession of the department of health pertaining to air or solid waste pollution, or in the possession of the department of water resources or in the possession of the water pollution control commission shall be delivered to the custody of the department of environmental quality.

All cabinets, furniture, office equipment, motor vehicles and other tangible property employed in carrying out the powers, duties, and functions transferred by this chapter shall be made available to the department of environmental quality.

All funds, credits or other assets held in connection with the functions herein transferred shall be assigned to the department of environmental quality.

Any appropriations made to the department of health, the state air pollution control board, the department of water resources, or the water pollution control commission for the purpose of carrying out the powers, duties, and functions herein transferred, shall on the effective date of this chapter be transferred and credited to the department of environmental quality for the purpose of carrying out such transferred powers, duties and functions.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of program planning and fiscal management shall make a determination thereon and certify the same to the state agencies concerned.

NEW SECTION. Sec. 24. All state officials required to maintain contact with or provide services to the department of water resources, to the water pollution control commission, to the department of health or state air pollution control board in connection with air pollution, or to the department of health in connection with solid waste pollution, shall continue to perform such services for the department of environmental quality unless otherwise directed by this chapter.

NEW SECTION. Sec. 25. Except as specifically provided in this 1970 amendatory act, the provisions hereof shall not impair or supersede the powers or rights granted under any other law to any person, committee, or association, any public, municipal, or private corporation, any state or local governmental agency, any federal agency, or any political subdivision of the state of Washington. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste material are not affected by this 1970 amendatory act, and the laws governing the same shall be protected and preserved.

NEW SECTION. Sec. 26. On July 1, 1970, the following state agencies, councils and committees are abolished:

- (1) The department of water resources.
- (2) The water pollution control commission.
- (3) The state air pollution control board.
- (4) The water resources advisory council.

All rules and regulations, and all pending business before the department of water resources, the department of health, the state air pollution control board or the water pollution control commission pertaining to matters affected by this chapter, as of July 1, 1970, shall be continued and acted upon by the department of environmental quality. All existing contracts and obligations pertaining to the functions herein transferred shall remain in full force and effect, and shall be performed by the department. Neither the abolition of any agency nor any of the transfers authorized by this chapter shall affect the validity of any act performed by the department of water resources, the department of health, the state air pollution control board, or the water pollution control commission, or by any official or employee thereof, prior to the effective date of this chapter.

NEW SECTION. Sec. 27. The rule of strict construction shall have no application to this chapter and it shall be liberally construed in order to carry out the broad purposes set forth in section 2 of this 1970 amendatory act.

Sec. 28. Section 1, chapter 32, Laws of 1969 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of public assistance, (2) the department of institutions, (3) the department of health, (4) the department of [water resources] *environmental quality*, (5) the department of labor and industries, (6) the department of agriculture, (7) the department of fisheries, (8) the department of game, (9) the department of highways, (10) the department of motor vehicles, (11) the department of general administration, (12) the department of commerce and economic development, and (13) the department of revenue, which shall be charged

with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 29. Section 2, chapter 32, Laws of 1969 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The director of public assistance, (2) the director of institutions, (3) the director of health, (4) the director of [water resources] *environmental quality*, (5) the director of labor and industries, (6) the director of agriculture, (7) the director of fisheries, (8) the director of game, (9) the director of highways, (10) the director of motor vehicles, (11) the director of general administration, (12) the director of commerce and economic development, and (13) the director of revenue.

Such officers, except the director of highways and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director of highways shall be appointed by the state highway commission, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 30. The following acts or parts thereof are each hereby repealed:

- (1) Section 3, chapter 242, Laws of 1967 and RCW 43.27A.030;
- (2) Section 4, chapter 242, Laws of 1967 and RCW 43.27A.040;
- (3) Section 5, chapter 242, Laws of 1967 and RCW 43.27A.050;
- (4) Section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060;
- (5) Section 7, chapter 242, Laws of 1967 and RCW 43.27A.070;
- (6) Section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100;
- (7) Section 11, chapter 242, Laws of 1967 and RCW 43.27A.110;
- (8) Section 16, chapter 242, Laws of 1967 and RCW 43.27A.140;
- (9) Section 17, chapter 242, Laws of 1967 and RCW 43.27A.150;
- (10) Section 18, chapter 242, Laws of 1967 and RCW 43.27A.160;
- (11) Section 19, chapter 242, Laws of 1967 and RCW 43.27A.170;
- (12) Section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300;
- (13) Section 2, chapter 188, Laws of 1961 and RCW 70.94.310;
- (14) Section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320;
- (15) Section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021;
- (16) Sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023;
- (17) Section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024;
- (18) Section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025;
- (19) Section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026;
- (20) Section 9, chapter 216, Laws of 1945 and RCW 90.48.027; and
- (21) Section 1, chapter 242, Laws of 1967 and RCW 43.27A.010.

NEW SECTION. Sec. 31. There is hereby created a pollution control hearings board of the state of Washington as an agency of state government.

The purpose of the hearings board is to provide for a more expeditious and efficient disposition of appeals with respect to the decisions and orders of the department and director and with respect to all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW.

NEW SECTION. Sec. 32. The hearings board shall consist of three members qualified by experience or training in pertinent matters pertaining to the environment, and at least one member of the hearings board shall have been admitted to practice law in this state and engaged in the legal profession at the time of his appointment. The hearings board shall be appointed by the governor with the advice and consent of the senate, and no more than two of whom at the time of appointment or during their term shall be members of the same political party.

NEW SECTION. Sec. 33. Members of the hearings board shall be appointed for a term of six years and until their successors are appointed and have qualified. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs: PROVIDED, That the terms of the first three members of the hearings board shall be staggered so that one member shall be appointed to serve until July 1, 1972, one member until July 1, 1974, and one member until July 1, 1976.

NEW SECTION. Sec. 34. Any member of the hearings board may be removed for inefficiency, malfeasance and misfeasance in office, under specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the

supreme court. Removal of any member of the hearings board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 35. The hearings board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the hearings board shall operate on a full time basis, each member of the hearings board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040. If it is determined the hearings board shall operate on a part time basis, each member of the hearings board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: PROVIDED, That such compensation shall not exceed ten thousand dollars in a calendar year. Each hearings board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 36. Each member of the hearings board: (1) shall not be a candidate for nor hold any other public office or trust, and shall not engage in any occupation or business interfering with or inconsistent with his duty as a member of the hearings board, nor shall he serve on or under any committee of any political party; and (2) shall not for a period of one year after the termination of his membership on the hearings board, act in a representative capacity before the hearings board on any matter.

NEW SECTION. Sec. 37. The hearings board may appoint, discharge and fix the compensation of an executive secretary, a clerk, and such other clerical, professional and technical assistants as may be necessary, or may contract for required services.

NEW SECTION. Sec. 38. The hearings board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect such a chairman.

NEW SECTION. Sec. 39. The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

NEW SECTION. Sec. 40. The hearings board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decisions shall be effective upon being signed by two or more members of the hearings board and upon being filed at the hearings board's principal office, and shall be open for public inspection at all reasonable times.

NEW SECTION. Sec. 41. The hearings board shall only have jurisdiction to hear and decide appeals from the decisions of the department and the director and the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW when such decisions concern matters within the jurisdiction of the hearings board as provided in this act or as provided in any future act or law granting the hearings board additional jurisdiction. The hearings board shall also have jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by air pollution control boards or authorities as established pursuant to chapter 70.94 RCW with respect to a violation or violations of this act or of any rule or regulation adopted by the department or of any other law within the jurisdiction of the department. The issuance, modification, or termination of any permit or license by the department in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit, shall be deemed to be an order for purposes of this act: PROVIDED, That review of rules and regulations adopted by the board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 42. Notwithstanding any other provisions of law to the contrary, the department and all air pollution control boards or authorities established pursuant to chapter 70.94 RCW are hereby prohibited from conducting hearings on violations of any rule or regulation made by the department or the director, on violations of this act, or on violations of any rule or regulation adopted by any air pollution control board or authority established pursuant to chapter 70.94 RCW, or on the issuance, modification, or termination of any permit or license, within the jurisdiction of the department. All petitions for hearings with respect to such violations shall be heard by this hearings board created in this 1970 act: PROVIDED, That violations of any rule or regulation made by any air pollution control board or authority established pursuant to chapter 70.94 RCW, may be heard by a hearings board of three members created by such board or authority pursuant to regulations promulgated by the hearings board created in this act.

Any order issued by the department or by any air pollution control board or authority established pursuant to chapter 70.94 RCW shall become final unless, no later than thirty days after the date that the notice and order are served, the person aggrieved by the order appeals to the hearings board as provided for in this act.

NEW SECTION. Sec. 43. The Administrative Procedure Act, chapter 34.04 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions are transferred

by this 1970 act to the department. All other decisions and orders of the director and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this 1970 act.

NEW SECTION. Sec. 44. In all appeals over which the hearings board has jurisdiction under sections 41 and 42 of this 1970 act, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the hearings board: **PROVIDED**, That nothing herein shall be construed to modify the provisions of sections 49 and 50 of this 1970 act. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

NEW SECTION. Sec. 45. In all appeals involving an informal hearing, the hearings board shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. In the case of appeals within the scope of this 1970 act the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board or any member thereof may deem necessary or appropriate: **PROVIDED**, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 46. In all appeals involving a formal hearing the hearings board shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the hearings board, and each member thereof, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. In the case of appeals within the scope of this 1970 act, the hearings board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board, or any member thereof, may deem necessary or appropriate: **PROVIDED**, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 47. All proceedings, including both formal and informal hearings, before the hearings board or any of its members shall be conducted in accordance with such rules of practice and procedure as the hearings board may prescribe. The hearings board shall publish such rules and arrange for the reasonable distribution thereof.

NEW SECTION. Sec. 48. Judicial review of a decision of the hearings board shall be de novo except when the decision has been rendered pursuant to a formal hearing elected under the provisions of this 1970 act, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and RCW 34.04.140. The director shall have the same right of review from a decision made pursuant to section 41 of this 1970 act as does any person.

NEW SECTION. Sec. 49. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW, or on the board, as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's decision and order. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. No bond shall be required on appeals to the superior court or on appeals to the supreme court unless specifically required by the judge of the superior court.

NEW SECTION. Sec. 50. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after a formal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the court of appeals pursuant to the provisions of RCW 34.04.130 (6). Such appeal may be perfected by filing with the clerk of the court of appeals a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, and on the board. The hearings board shall serve upon the appealing party, the director, and any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the hearings board's decision and order which shall become the record in such case. No bond shall be required on appeals to the court of appeals or on appeals to the supreme court unless specifically required by the judge of the court of appeals.

NEW SECTION. Sec. 51. When the proceeding is at issue, a hearing will be had only upon demand. Either party may demand a hearing by filing a written request therefor. The demand shall include an estimate of time that will be required to hear the matter. The hearings boards shall thereupon fix the time and place for hearing: **PROVIDED**, That all

hearings shall be commenced within thirty days of the filing of the appeal: PROVIDED, FURTHER, That extensions of time, continuances and adjournments may be ordered by the hearings board only upon motion of all parties, filed in writing and shall not in any case exceed a period greater than six months.

NEW SECTION. Sec. 52. No provision of this chapter shall be construed to change existing law relating to the staying of orders or decisions pending final determination of any hearing or appeal taken in accordance with the provisions herein.

NEW SECTION. Sec. 53. Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department under the provisions of this 1970 amendatory act may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department or air pollution authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the air pollution authority, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one.

NEW SECTION. Sec. 54. Notwithstanding any other powers, duties and functions transferred by the provisions of this act, the department shall only have authority to hold public hearings, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, with respect to those matters enumerated in sections of this 1970 amendatory act.

NEW SECTION. Sec. 55. Sections 31 through 54 shall constitute a new chapter in Title 43 RCW.

Sec. 56. Section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141 are each amended to read as follows:

The board of any activated authority in addition to any other powers vested in them by law, shall have power to:

(1) Adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing this chapter and consistent with it, after consideration at a public hearing held in accordance with chapter 42.32 RCW.

(2) Hold hearings relating to any aspect of or matter in the administration of this chapter *not prohibited by the provisions of chapter —, (ESB No. 1), Laws of 1970 1st ex. sess.* and in connection therewith issue subpoenas to compel the attendance of witnesses and the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings *subject to the rights of appeal as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.*

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within its jurisdiction.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter.

(8) Encourage and conduct studies, investigation and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advise, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this chapter, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of this chapter.

Sec. 57. Section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the

board or the control officer may require that the alleged violator or violators appear before the hearings board as provided for in chapter — (ESB No. 1), Laws of 1970 1st ex. sess. for a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended, or in addition to or in place of an order or hearing, the hearings board created therein [or control officer] may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435.

Sec. 58. Section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221 are each amended to read as follows:

[1] Any order issued by the board or by the control officer, [which is not preceded by a hearing,] shall become final unless [, no later than twenty days after the date the notice and order are served, the person aggrieved by the order petitions for a hearing before the board. Upon receipt of the petition, the board shall hold a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended.

(2) If, after a hearing held as a result of a petition to the board by a person aggrieved by an order, the board finds that a violation has occurred or is occurring, it shall affirm or modify the order previously issued, or if the finding made is that no violation has occurred or is occurring, the order shall be rescinded. If, after a hearing held in lieu of an order, the board finds that a violation has occurred or is occurring, it shall issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective actions as may be appropriate. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(3) Any hearings held under this section or under RCW 70.94.181 shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended] such order is appealed to the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 59. Section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, [a petition requesting judicial review is filed in accordance with provisions of chapter 34.04 RCW as now or hereafter amended] a notice of appeal is filed with the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 60. Section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

(1) "City" means every incorporated city and town.

(2) "Committee" means the solid waste advisory committee.

(3) "Department" means the department of environmental quality.

(4) "Director" means the director of the department of environmental quality.

(5) "Disposal site" means the location where any final treatment, utilization, processing, or depository of solid waste occurs.

(6) "Functional standards" means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(7) "Jurisdictional health department" means city, county, city-county, or district public health department.

(8) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(9) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, ashes, industrial wastes, *swill*, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded [home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded materials] commodities.

(10) "Solid waste handling" means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes.

NEW SECTION. Sec. 61. The provisions of this act shall not impair or supersede the powers or rights of any person, committee, association, public, municipal or private corporations, state or local governmental agency, federal agency, or political subdivision of the state of Washington under any other law except as specifically provided herein. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste materials of this state are not changed hereby and the laws governing the same are to be protected and preserved.

NEW SECTION. Sec. 62. Sections 1 through 10, 12 through 27, and 63 shall constitute a new chapter in Title 43 RCW and shall be known and cited as the "Environmental Quality Reorganization Act of 1970".

NEW SECTION. Sec. 63. This 1970 amendatory act shall take effect on July 1, 1970.

NEW SECTION. Sec. 64. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected." and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senators Bailey, Henry and Atwood demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

MOTION

Senator Greive moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 1, and the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 2 with the following amendments:

On page 2, section 1, line 5, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.*"

On page 2, section 2, line 18, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.*" and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Greive, the Senate concurred in the House amendments to Engrossed Senate Bill No. 2.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED SENATE BILL NO. 2, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

February 5, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 40 with the following amendment:

On page 11, section 13, line 33 of the printed and engrossed bills, before "percent" strike "[five] two and one-half" and insert "five" and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator McCormack, the Senate concurred in the House amendments to Engrossed Senate Bill No. 40.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 40, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 8.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Henry, Herr, Huntley, Keefe,

Knoblauch, Lewis (Brian), Lewis (Harry), McConmack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ryder, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—41.

Voting nay: Senators Day, Francis, Guess, Holman, Odegaard, Peterson (Lowell), Ridder, Sandison—8.

ENGROSSED SENATE BILL NO. 40, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 45 with the following amendments:

On page 1, section 2, line 24 after "of" strike "Washington" and insert "[Washington] Puget Sound"

On page 2, section 2, line 3, after "Association, and" strike "one representative from organized labor" and insert "[one representative from organized labor] the president of the Washington State Labor Council or his nominee"

On page 3, section 4, line 21, after "the state." strike everything down to and including "in committee." on line 22 and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senator Gissberg moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 45.

POINT OF INQUIRY

Senator Woodall: "Will Senator Stender yield? Senator, the law as it originally went over to the House allowed a representative of organized labor. It is now written so that it blankets it in, names and specifies Joe Javis, in effect.

"How many different crafts are there in the state which are made ineligible to have their members put on by this particular amendment if this is adopted? Specifically, would your craft be eligible if this is written as it now is?"

Senator Stender: "Specifically, I would not assume they would. They would be only represented indirectly, I think, to association with the state federation of labor. There are as you probably already know, Senator, a number of organizations not affiliated with the state federation. However, I think the state federation is considered as the representative of the majority of the labor organizations in the state today."

The motion carried. The Senate concurred in the House amendments to Engrossed Senate Bill No. 45.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 45, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—46.

Voting nay: Senators McCutcheon, Williams, Woodall—3.

ENGROSSED SENATE BILL NO. 45, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 49 with the following amendment:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. Section 1. The legislature finds that the present and predicted growth in electric power demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for thermal generating facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites and the routing of associated transmission lines will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington that, while recognizing the pressing need for increased power generation facilities, the state shall ensure through available and reasonable methods, that the location and operation of thermal power plants will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for thermal power plant location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) To provide abundant low-cost electrical energy.

NEW SECTION. Sec. 2. (1) “Applicant” means any electric utility which makes application for a site location certification pursuant to the provisions of this act;

(2) “Application” means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this act;

(3) “Person” means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized;

(4) “Electric utility” means cities and towns, public utility districts, regulated electric companies, electric cooperatives and joint operating agencies, or combinations thereof, engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy;

(5) “Site” means any proposed location wherein the power plant, related or supporting facilities, and associated transmission lines will be located;

(6) “Certification” means a binding agreement between an applicant and the state which shall embody compliance to the siting guidelines adopted in section 5 of this act as conditions to be met prior to or concurrent with the construction or operation of any thermal power plant coming under this act;

(7) “Associated transmission lines” means new transmission lines constructed to operate at nominal voltages in excess of 200,000 volts to connect a thermal power plant to the northwest power grid;

(8) “Independent consultants” means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies;

(9) “Thermal power plant” means, for the purpose of certification, any electrical generating facility using any fuel, including nuclear materials, for distribution of electricity by electric utilities;

(10) “Thermal power plant site evaluation council” or “council” means the body defined under section 3 of this act;

(11) “Counsel for environment” means an assistant attorney general or a special assistant attorney general who shall represent the public in accordance with section 8 of this act;

(12) “Construction” means on-site work and construction shall not be deemed to have commenced until there has been an expenditure of not less than two hundred fifty thousand dollars in on-site improvements, excluding exploratory work;

(13) “Chairman” means the chairman of the thermal power plant site evaluation council;

(14) “Member agency” means departments, agencies and commissions enumerated in subsection (3) of section 3 of this act.

NEW SECTION. Sec. 3. (1) There is hereby created and established a “thermal power plant site evaluation council”.

(2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate and shall serve at the pleasure of the governor. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03.028 as now or hereafter amended.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies and commissions or their statutory successors:

- (a) Water pollution control commission
- (b) Department of water resources
- (c) Department of fisheries
- (d) Department of game

- (e) State air pollution control board
- (f) Department of parks and recreation
- (g) Department of health
- (h) Interagency committee for outdoor recreation
- (i) Department of commerce and economic development
- (j) Utilities and transportation commission
- (k) Office of program planning and fiscal management
- (l) Department of natural resources
- (m) Planning and community affairs agency
- (n) Department of civil defense
- (o) Department of agriculture.

(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site.

NEW SECTION. Sec. 4. The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations to carry out the provisions of this act, and the policies and practices of the council in connection therewith;

(2) To appoint an executive secretary to serve at the pleasure of the council;

(3) To appoint and prescribe the duties of such clerks, employees and agents as may be necessary to carry out the provisions of this act: PROVIDED, That such persons shall be employed pursuant to the provisions of chapter 41.06 RCW;

(4) To develop and apply topical environmental and ecological guidelines in relation to the type, design, and location of thermal power plant sites and associated transmission line routes;

(5) To establish rules of practice for the conduct of public hearings pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.04 RCW;

(6) To prescribe the form, content, and necessary supporting documentation for site certification;

(7) To receive applications for site locations and to investigate the sufficiency thereof;

(8) To make and contract, when applicable, for independent studies of thermal power plant sites and transmission line routes proposed by the applicant;

(9) To conduct hearings on the proposed location of the thermal power plant sites and, when applicable, the associated transmission line routes;

(10) To prepare written reports to the governor which shall include: (a) a statement indicating whether the application is in compliance with the council's topical guidelines, (b) criteria specific to the site and transmission line routing, and (c) a council recommendation as to the disposition of the application;

(11) To prescribe the means for monitoring of the effects arising from the construction and the operation of thermal power plants, and where applicable, associated transmission lines to assure continued compliance with terms of certification.

NEW SECTION. Sec. 5. Promptly after it is organized under this act, the council shall give notice, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, of intention to adopt as rules the comprehensive guidelines recommended by the thermal power plant evaluation council. The thermal power plant site evaluation council shall adopt the proposed guidelines as rules after making any changes or additions that are appropriate in view of facts and testimony presented at the hearing, provided that the guidelines so changed are consistent with the purposes of this act.

NEW SECTION. Sec. 6. (1) Provisions of this act shall apply to any stationary thermal power plant with generating capacity of two hundred fifty thousand kilowatts or more and floating thermal power plants of fifty thousand kilowatts or more, including associated transmission lines installed anywhere within the state of Washington. No construction of any such facility may be undertaken, after the effective date of this act, without first obtaining certification in the manner as herein provided, except that this act shall not apply to any such thermal power plant presently operating, or under construction, and its associated transmission lines.

(2) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

NEW SECTION. Sec. 7. (1) The council shall receive all applications for thermal power plant site certification. A fee of twenty-five thousand dollars for each proposed site, to be applied toward the cost of any study authorized in subsection (2) of this section, shall accompany the application and shall be a condition precedent to any further consideration or action on the application by the council.

(2) After receiving an application for site certification, the council shall commission its own, independent consultant study to measure the consequences of the proposed power plant on the environment for each site application. The council shall direct the consultant to study any matter which it deems essential to an adequate appraisal of the site. The full cost of the study shall be paid by the applicant: PROVIDED, That said costs exceeding a total of twenty-five thousand dollars shall be payable subject to applicant giving prior approval to such excess amount.

(3) All payments required of the applicant under this section are to be made to the state treasurer, who in turn shall pay the consultant as instructed by the council. All such

funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant.

NEW SECTION. Sec. 8. After the council has received a site application, the attorney general shall appoint an assistant attorney general or a special assistant attorney general as a counsel for the environment who shall be a member of the bar of the state of Washington. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment for the duration of the certification proceedings, until such time as the certification is issued or denied. He shall be accorded all the rights, privileges and responsibilities of an attorney representing a party in a formal action. This section shall not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this act.

NEW SECTION. Sec. 9. (1) The council shall conduct a public hearing in the county of the proposed site within sixty days of receipt of an application for site certification: **PROVIDED,** That the place of such public hearing shall be as close as practical to the proposed site.

(2) The council must determine at the initial public hearing whether or not the proposed site is consistent and in compliance with county or regional land use plans or zoning ordinances. If it is determined that the proposed site does conform with existing land use plans or zoning ordinances in effect as of the date of the application, the county or regional planning authority shall not thereafter change such land use plans or zoning ordinances so as to affect the proposed site.

(3) Prior to the issuance of a council recommendation to the governor under section 10 of this act a public hearing, conducted as a contested case under chapter 34.04 RCW, shall be held. At such public hearing any person shall be entitled to be heard in support of or in opposition to the application for certification.

(4) Additional public hearings shall be held as deemed appropriate by the council in the exercise of its functions under this act.

NEW SECTION. Sec. 10. (1) The council shall report to the governor its recommendations for the disposition of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant.

(2) Within sixty days of receipt of the council's report the governor shall approve or reject the application for certification.

(3) The issuance of denial of the certification by the governor shall be final as to that application.

(4) Upon approval by the governor of the application for certification the chairman of the council shall within thirty days compose and submit a certification agreement for execution by the governor and the applicant.

NEW SECTION. Sec. 11. (1) If any provision of this act is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, or any rule or regulation promulgated thereunder, this act shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this act.

(2) The state hereby preempts the regulation and certification of thermal power plant sites and thermal power plants as defined in section 2 of this act.

NEW SECTION. Sec. 12. (1) Subject to the conditions set forth therein any certification signed by the governor shall bind the state or any of its departments, agencies, divisions, bureaus, commissions or boards as to the approval of the site and the construction and operation of the proposed thermal power plant and any associated transmission lines.

(2) The certification shall authorize the electric utility named therein to construct and operate the proposed thermal power plant and any associated transmission lines subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission or board of this state.

NEW SECTION. Sec. 13. Any certification may be revoked or suspended:

(1) For any material false statement in the application or in the supplemental or additional statements of fact or studies required of the applicant when a true answer would have warranted the council's refusal to recommend certification in the first instance; or

(2) For failure to comply with the terms or conditions of the original certification; or

(3) For violation of the provisions of this act, regulations issued thereunder or order of the council.

NEW SECTION. Sec. 14. (1) The approval or rejection of an application for certification by the governor shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

(2) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 15. (1) The courts are authorized to grant such restraining orders, and such temporary and permanent injunctive relief as is necessary to secure compliance with this act and/or with a site certification agreement issued pursuant to this act. The court may assess civil penalties in an amount not less than one thousand dollars per day nor more than twenty-five thousand dollars per day for each day of construction or operation in material violation of this act, or in material violation of any site certification agreement issued pursuant to this act.

(2) Wilful violation of any provision of this act shall be a gross misdemeanor.

(3) Civil or criminal proceedings to enforce this act may be brought through the attorney general by the prosecuting attorney of any county affected by the violation.

(4) The remedies and penalties in this section, both civil and criminal, shall be cumulative and shall be in addition to any other penalties and remedies available at law, or in equity, to any person.

NEW SECTION. Sec. 16. The council shall make available for public inspection and copying during regular office hours at the expense of any person requesting copies, any information filed or submitted pursuant to this act.

NEW SECTION. Sec. 17. If any provision of this act, or its application to any person or circumstance is held invalid, with the exception of sections 11 and 12 of this act, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.

NEW SECTION. Sec. 18. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 19. Sections 1 through 18 of this act shall constitute a new chapter in Title 80 RCW." and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Canfield, the Senate concurred in the House amendments to Engrossed Senate Bill No. 49.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 49, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-49.

ENGROSSED SENATE BILL NO. 49, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 55 with the following amendments:

On page 1, section 1, line 15, after "home" and before "which" insert "the structure or any room of"

On page 2, section 2, subsection 1, line 8, after "built" and before "housing" insert "or on-site"

On page 2, section 3, line 15, after the comma following "requirements" and before "building" strike "local fire zones,"

On page 3, section 6, line 2, after "a" and before "housing" strike "prefabricated" and insert "factory-built"

On page 3, section 6, line 9, after "The" strike "prefabricated" and substitute "factory-built"

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Stortini, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 55.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 55, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack,

McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 55, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 4, 1970.

Mr. President: The House has passed SENATE BILL NO. 60 with the following amendments:

On page 1, section 1, line 16, after "district" and before "for" insert "*or institutions of higher education*"

On page 1, section 1, line 19, after "district" and before "to" insert "*or institutions of higher education*"

On page 2, section 1, line 2, after "school" and before "purposes" insert "*college or university*"

and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Guess, the Senate concurred in the House amendments to Senate Bill No. 60.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 60, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

SENATE BILL NO. 60, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 85 with the following amendments:

On page 3, section 4, line 27, after "on" delete "*one-twentieth*" and insert "*one-fortieth*"

On page 4, section 5, line 16, after "of" and before "of a" on line 17, delete "*one-twentieth*" and insert "*one-fortieth*" and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Atwood, the Senate concurred in the House amendments to Engrossed Senate Bill No. 85.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 85, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Voting nay: Senator McCutcheon—1.

ENGROSSED SENATE BILL NO. 85, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 95 with the following amendments:

On page 1, section 1, line 23, after "(c)" and before "the" insert the following: "at the commencement of the recording"

On page 1, section 1, line 27, after "activities" insert a period and strike the remainder of the subsection, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Andersen, the Senate concurred in the House amendments to Engrossed Senate Bill No. 95.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 95, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Woodall—47.

Voting nay: Senators Dore, Wilson—2.

ENGROSSED SENATE BILL NO. 95, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 99 with the following amendments:

On page 1, line 11, strike "adding a new section to chapter 46.61 RCW;"

On page 1, section 2, line 24, after "degree," insert "or"

On page 1, section 2, beginning on line 25, after "second degree," strike all of the matter down to and including "second degree" in line 26

On page 4, section 5, line 30, after "homicide" strike the remainder of the sentence and insert "by means of a motor vehicle."

On page 4, section 5, beginning on line 32, after "homicide" strike all of the matter down to and including "first degree" on line 33 and insert "by means of a motor vehicle"

On page 5, line 12, strike all of section 7 and renumber the remaining sections consecutively

On page 6, section 9, line 13, after "having" strike "knowledge of" and insert "witnessed"

On page 6, section 9, line 15, after "or" strike "knowledge of preparation" and insert "having witnessed preparations"

On page 6, section 9, line 20, after "shall" strike the remainder of the section and insert "be so construed to affect existing privileged relationships as provided by law." and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Andersen, the Senate concurred in the House amendments to Substitute Senate Bill No. 99.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 99, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

SUBSTITUTE SENATE BILL NO. 99, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 105 with the following amendments:

On page 1, line 3 of the title after "institutions;" strike the remainder of the title and insert the following: "relating to the facilities, equipment and personnel of the institutions under the supervision of the department of institutions; amending section 1, chapter 46, Laws of 1967 and RCW 72.01.450; adding new sections to chapter 72.01 RCW; repealing section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030; and declaring an emergency."

On page 1, section 1, line 11 after "institutions." strike everything and insert the following:

"Sec. 2. Section 1, chapter 46, Laws of 1967 and RCW 72.01.450 are each amended to read as follows:

The director of institutions of the state of Washington is authorized to enter into agreements with any school district or any [state] institution of higher learning for the use of the [physical] facilities, *equipment and personnel* of any state institution of the department, *for the purpose of conducting courses of education, instruction or training in the professions and skills utilized by one or more of the institutions*, at such times and under such circumstances and with such terms and conditions as may be deemed appropriate.

NEW SECTION. Sec. 3. The director is authorized to enter into an agreement with any agency of the state, a county, city or political subdivision of the state for the use of the facilities, equipment and personnel of any institution of the department for the purpose of conducting courses of education, instruction or training in any professional skill having a relationship to one or more of the functions or programs of the department.

NEW SECTION. Sec. 4. In any course of education, instruction or training conducted in any state institution of the department, pursuant to the authority of section 1 and 2 of this 1970 amendatory act, use may be made of selected files and records of such institution, notwithstanding the provisions of any statute to the contrary.

NEW SECTION. Sec. 5. The director may permit the use of the facilities of any state institution by any community service organization, nonprofit corporation, group or association for the purpose of conducting a program of education, training, entertainment or other purpose, for the residents of such institutions, if determined by the director to be beneficial to such residents or a portion thereof.

NEW SECTION. Sec. 6. The school year for the state school for the blind and the state school for the deaf shall commence on the first day of July of each year and shall terminate on the 30th day of June of the succeeding year. The regular school term shall be for a period of nine months and shall commence as near as reasonably practical at the time of the commencement of regular terms in the public schools, with the equivalent number of days as are now required by law, and the regulations of the superintendent of public instruction as now or hereafter amended, during the school year in the public schools. The school shall observe all legal holidays, in the same manner as other agencies of state government, and the schools will not be in session on such days and such other days as may be approved by the director of institutions. During the period when the schools are not in session during the regular school term, schools may be operated, subject to the approval of the director, for the instruction of students or for such other reasons which are in furtherance of the objects and purposes of such schools.

NEW SECTION. Sec. 7. Section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030 are hereby repealed.

NEW SECTION. Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Sections 2 through 4 of this act shall be added to chapter 72.01 RCW.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senator Odegaard moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 105.

Debate ensued.

POINT OF INQUIRY

Senator Mardesich: "Will Senator Odegaard yield? Senator, I wonder if you would look at the House amendment. We have passed it here before. The House amendment says, as I read it, that the director of institutions may contract with any institution of higher education and that is whether it be private or state, for the purpose of using the facilities, equipment, personnel, also again for the purpose of conducting courses of education, instruction or training in the professions and skills utilized by one or more institutions. I wonder if that language might not be interpreted far enough to almost legalize stipends one hundred percent."

Senator Odegaard: "Senator Mardesich, I hope that this is not the intention. We have had enough discussion the last few days about stipends and I would hope that this would not lead to that.

"The purpose of this amendment which we are just considering is that we at the present time in the state institutions have student teachers working in the institutions who are going to a school of higher learning. We also have the social workers, sociologists and so forth who are in one of the higher institutions of learning who might be working in an institution. There was some possible legal question whether this really should be done and this would take care of that legal question."

The motion carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 105.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 105, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED SENATE BILL NO. 105, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 133 with the following amendments:

On page 1, line 1 of the title after "ACT" and before "the" strike "Creating" and insert "Relating to insurance; creating"

On page 1, line 5 of the title after "taxes;" insert "regulating insurance rates and rate making;"

On page 1, line 6 of the title after "chapter" and before "to" insert "and new sections"

On page 1, line 6 of the title after "RCW;" insert "amending section .19.37, chapter 79, Laws of 1947, and RCW 48.19.370; adding new sections to chapter 79, Laws of 1947 and to chapter 48.19 RCW; repealing section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; repealing section .19.03, chapter 79, Laws of 1947 and RCW 48.19.030; repealing section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; repealing section .19.05, chapter 79, Laws of 1947 as amended by section 13, chapter 193, Laws of 1957 and RCW 48.19.050; repealing section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; repealing section .19.07, chapter 79, Laws of 1947 and RCW 48.19.070; repealing section .19.08, chapter 79, Laws of 1947 and RCW 48.19.080; repealing section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; repealing section .19.11, chapter 79, Laws of 1947 and RCW 48.19.110; repealing section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; repealing section .19.28, chapter 79, Laws of 1947 as amended by section 14, chapter 193, Laws of 1957 and RCW 48.19.280; repealing section .19.29, chapter 79, Laws of 1947 and RCW 48.19.290; and repealing section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440;"

On page 1, section 2, line 21, after "apply" strike "as"

On page 1, section 2, line 22, following "than" strike "variable annuity contracts," and insert "separate account variable policies and contracts authorized by chapter 48.18A RCW."

On page 2, section 2, line 4, following "time the" strike "insolvency commenced," and insert "order of liquidation of an insolvent insurer is entered."

On page 2, section 3, following subsection (7), add a new subsection as follows:

"(8) "Certificates" means certificates of contribution provided for in section 9."

On page 3, section 4, line 14, following "nine" strike "persons representative of"

On page 3, section 4, line 15, following "of" and before "shall" strike "whom" and insert "which"

On page 3, section 4, line 24, following "be" and before "domestic" strike "representatives of"

On page 4, section 4, following subsection (4), add a new subsection as follows:

"(5) The board may, upon majority vote, make recommendations to the commissioner for the detection and prevention of insurer insolvencies."

On page 5, section 6, line 22, following "payment of the" strike "values or"

On page 6, section 6, line 3, following subsection (2), add two new subsections as follows:

"(3) In determining benefits to be paid with respect to the policies and contracts of a particular insolvent insurer the board may give due consideration to amounts reasonably recoverable or deductible because of the contingent liability, if any, of policyholders of the insurer (if a mutual insurer), or recoverable because of the assessment liability, if any, of the insurer's stockholders (if a stock insurer).

(4) With respect to an insolvent domestic insurer, the board shall have power to petition the court in which the delinquency proceedings are pending for, and the court shall have authority to order and effectuate, such modifications in the terms and premiums thereafter to be in effect of policies and contracts of the insurer as may reasonably be necessary to effect a bulk reinsurance of such policies and contracts in a solvent insurer."

On page 6, section 8, line 20, following "taxes," and before "Such" insert a new sentence as follows: "Assessment for funds to meet the requirements of the association with respect to a particular insolvent insurer shall not be made until an order of liquidation has been entered against the insurer by the court in which delinquency proceedings against the insurer are pending."

On page 6, section 8, line 30, following "liabilities," add a new sentence as follows: "The association may exempt or defer, in whole or in part, the assessment of any insurer if, in the opinion of the board, the assessment would cause the amount of the insurer's capital or surplus to be less than the minimum amounts required for a certificate of authority by any jurisdiction in which the insurer is authorized to transact insurance."

On page 7, section 8, line 4, following "other" and before "method" insert "equitable"

On page 7, following line 31, insert two new subsections as follows:

"(3) The insurer shall offset the amount written off by it in a calendar year under subsection (2) above, against its premium tax liability to this state accrued with respect to business transacted in such year.

(4) Any sums recovered by the association representing sums which have theretofore been written off by contributing insurers and offset against premium taxes as provided in subsection (3) above, shall be paid by the association to the commissioner and by him deposited with the state treasurer for credit to the general fund of the state of Washington."

On page 8, section 10, line 15, following subsection (2), add a new subsection as follows:

"(3) Assessments made upon domestic life insurers of this state pursuant to a similar guaranty fund law of another jurisdiction shall be excluded from the application of RCW 48.14.040 (retaliatory provision)."

On page 9, section 14, line 3, after the period, insert "As used in sections 1 through 13 hereof, the phrase "this 1970 act" means the new chapter added to Title 48 RCW by this section."

On page 9, following section 14, add new sections as follows:

"NEW SECTION. Sec. 15. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The purposes of this chapter are:

(1) To protect the public, policyholders and insurers against the adverse effects of excessive, inadequate, or unfairly discriminatory rates;

(2) To encourage, as the most effective way to produce rates that conform to the standards set forth in section 18, reasonable price competition among insurers;

(3) To provide formal regulatory controls for use if price competition fails;

(4) To authorize cooperative action among insurers in the rate making and risk evaluation process, and to regulate such cooperation in order to prevent practices that tend to bring about monopoly or to lessen or destroy competition;

(5) To encourage the most efficient and economic practices in providing insurance protection;

(6) To regulate the business of insurance in a manner that will preclude application of federal antitrust laws.

NEW SECTION. Sec. 16. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

In this chapter, unless contrary to context, the following definitions shall apply:

(1) "Rate determination data" shall mean any manual or plan of rates, rating schedules, rating tariff, rating rule, risk classification for rating purposes, and any other material necessarily used by an insurer or rating bureau in computing the rate to be charged for any policy.

(2) "Rating organization" shall mean any person, other than an insurer or a direct employee of an insurer, who assists insurers in rate making or filing by:

(a) recommending, making, furnishing or filing rates or information used in rate determination; or by

(b) advising about rate questions, except as an attorney giving legal advice.

(3) "Market segment" means any grouping or sub-grouping of risks separately defined or classed as to loss or expense probability for the purpose of rating with respect to any line or kind of insurance.

NEW SECTION. Sec. 17. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The commissioner may by rule exempt any market segment from any or all of the provisions of section 20 of this act, if and to the extent that he finds their application unnecessary to achieve the purposes of this chapter.

NEW SECTION. Sec. 18. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Rates shall not be excessive, inadequate, or unfairly discriminatory, nor shall any insurer charge any rate which, if continued, will have or tend to have the effect of destroying competition or creating a monopoly.

(1) No rate shall be held to be excessive unless:

(a) Such rate is unreasonably high for the insurance provided; and

(b) A reasonable degree of competition does not exist in the area with respect to the classification to which such rate is applicable.

(2) No rate shall be held to be inadequate unless:

(a) Such rate is unreasonably low for the insurance provided; and

(b) Continued use of such rate endangers the solvency of the insurer; or unless

(c) Such rate is unreasonably low for the insurance provided and the use of such rate by the insurer has, or if continued will have, the effect of destroying competition or creating a monopoly.

NEW SECTION. Sec. 19. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

In determining whether rates comply with the requirements of this chapter, due consideration shall be given to past and prospective loss and expense experience within and outside of this state, to catastrophe hazards and contingencies, to trends within and outside of this state, to loadings for leveling premium rates over time or for dividends or savings to be allowed or returned by insurers to their policyholders, members or subscribers, and to all other relevant factors, including the judgment of technical personnel.

Risks may be classified or divided into market segments in any reasonable way for the establishment of rates and minimum premiums, except that classifications may not be based on race, color, creed or national origin. Rates thus produced may be modified for individual risks in accordance with rating plans or schedules which establish reasonable standards for measuring probable variations in hazards, expenses, or both.

The expense provisions included in the rates to be used by an insurer may reflect the operating methods of the insurer and, so far as it is credible, its own expense experience.

The rates may contain an allowance permitting a profit that is not unreasonable in relation to the loss probability of the class of business.

NEW SECTION. Sec. 20. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Every authorized insurer and every rating organization licensed under RCW 48.19.180 which has been designated by any insurer for the filing of rates on its behalf shall file with the commissioner all rate determination data and all changes and amendments thereof made by it for use in this state and each filing shall become effective immediately on date specified thereon, but not earlier than the date such filing is received by the commissioner. In the event the commissioner requests it, there shall also be filed after demand, statistical and other supporting data showing that the filing meets the requirements of this chapter. If the commissioner determines, after hearing, that any filing does not so comply, he shall order that the same be disapproved and it may not thereafter be used. At such hearing or any appeal therefrom the burden of establishing the validity of a filing shall be upon the filer. All premiums charged by an insurer shall be in accordance with its rate filings.

NEW SECTION. Sec. 21. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Each filing and any supporting information filed under this chapter shall, as soon as filed, be open to public inspection at any reasonable time. Copies may be obtained by any person on request and upon payment of a reasonable charge therefor.

NEW SECTION. Sec. 22. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Any insurer which is a subscriber or member of a rating organization may designate such rating organization to make rate filings on its behalf. The insurer shall have the complete power of determination as to filings to be made on its behalf and the rating organization shall act simply as a filing agent. The filings designated by an insurer may coincide with the filings made by the rating organization on behalf of other subscribers or

members or they may vary therefrom in any respect requested by the insurer. In making any filing of rates or rate determination data or any amendments thereto, a rating organization shall specifically designate the subscriber or member insurers on whose behalf such filing is made.

NEW SECTION. Sec. 23. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

If as to any kind, class or market segment of insurance the commissioner finds, after a hearing, that competition does not exist as a result of which the rates are excessive or that a substantial number of companies are competing irresponsibly as a result of which rates are inadequate, or that there are widespread violations of this chapter, he may promulgate a rule requiring that in such kind, class, or market segment any subsequent changes in the rates or rate determination data be filed with him at least fifteen days before they become effective. He may extend the waiting period to not exceed fifteen additional days by written notice to the filer before the first fifteen day period expires. Changes in rates or rate determination data may become effective at the expiration of such fifteen day period or extended period as the case may be, unless the commissioner within such period or extended period has given written notice to the filer of his intention to disapprove the change. Within fifteen days after the date of such notice the commissioner shall hold a hearing notice of the time and place of which shall have been given the filer at least ten days in advance, to determine whether the change would result in a rate or rates which do not comply with the requirements and standards of this chapter. The commissioner shall render his decision within fifteen days after the close of such hearing. If the decision is to disapprove the change as proposed by the filer, the commissioner in the decision may grant approval to some other change found by the commissioner to be consistent with the requirements and standards of this chapter. In any such hearing the filer shall have the burden of supporting and justifying the change proposed. The time periods specified herein are for the benefit of the filer and may be waived by him. A rule promulgated under this section shall expire no more than one year after issue but the commissioner may renew it after a hearing and appropriate findings to the effect that such renewal is warranted.

NEW SECTION. Sec. 24. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

If the commissioner finds, after a hearing, that any rate or rate determination data on file does not meet the requirements of this chapter, he shall order that its use be discontinued for any policy issued or renewed after a date specified in the order, which date shall not be prior to the date of the issuance of the order. For a period of one year after the effective date of such order, no rate promulgated to replace a disapproved one may be used until it has been filed with the commissioner and not disapproved within thirty days thereafter. Whenever an insurer has no legally effective rates as a result of the commissioner's disapproval of rates or other acts, the commissioner shall, on request, specify interim rates for the insurer that are sufficient to protect the interests of all parties and may order that a specified portion of the premiums be placed in an escrow account approved by him. When new rates become legally effective, the commissioner shall order the escrowed funds or any overcharge in the interim rates to be distributed appropriately, except that refunds to policyholders that are de minimis shall not be required.

NEW SECTION. Sec. 25. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The commissioner may, by order, require that a particular insurer file any or all of its rates and supplementary rate information fifteen days prior to their effective date, if and to the extent that he finds, after a hearing, that protection of the interests of its insureds and the public in this state require closer supervision of its rates because of the insurer's financial condition.

Sec. 26. Section .19.37, chapter 79, Laws of 1947, and RCW 48.19.370, are each amended to read as follows:

(1) The commissioner shall promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and country-wide expense experience, in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in [RCW 48.19.020 and 48.19.030] *this chapter*. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of country-wide expense experience.

(2) In promulgating such rules and plans, the commissioner shall give due consideration to the rating systems on file with him and, in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states.

(3) No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it.

(4) The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules promulgated by the commissioner, to insurers and rating organizations.

(5) Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans.

NEW SECTION. Sec. 27. Section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; section .19.03, chapter 79, Laws of 1947 and RCW 48.19.030; section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; section .19.05, chapter 79, Laws of 1947 as amended by section 13, chapter 193, Laws of 1957 and RCW 48.19.050; section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; section .19.07, chapter 79, Laws of 1947 and RCW 48.19.070; section .19.08, chapter 79, Laws of 1947 and RCW 48.19.080; section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; section .19.11, chapter 79, Laws of 1947 and RCW 48.19.110; section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; section .19.28, chapter 79, Laws of 1947 as amended by section 14, chapter 193, Laws of 1957 and RCW 48.19.280; section .19.29, chapter 79, Laws of 1947 and RCW 48.19.290; and section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440 are each repealed."

Renumber the remaining sections consecutively.

On page 9, section 16, herein renumbered Sec. 29, line 11 after "EMERGENCY," strike "This 1970 act is" and insert "Sections 1 through 14 and 28 of this 1970 act are", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Mardesich moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 133, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 139 with the following amendments:

In line 4 of the title strike "natural resources" and insert "environmental quality"

Strike all of the matter after the enacting clause and insert:

"*NEW SECTION.* Section 1. Sections 2 through 25 of this act shall constitute a new chapter in Title 76 RCW.

NEW SECTION. Sec. 2. The legislature recognizes that the extraction of minerals by surface mining is a basic and essential activity making an important contribution to the economic well-being of the state and nation. At the same time, proper reclamation of surface mined land is necessary to prevent undesirable land and water conditions that would be detrimental to the general welfare, health, safety, and property rights of the citizens of the state. Surface mining takes place in diverse areas where the geologic, topographic, climatic, biologic, and social conditions are significantly different, and reclamation specifications must vary accordingly. It is not practical to extract minerals required by our society without disturbing the surface of the earth and producing waste materials, and the very character of many types of surface mining operations precludes complete restoration of the land to its original condition. However, the legislature finds that reclamation of surface mined lands as provided in this act will allow the mining of valuable minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.

NEW SECTION. Sec. 3. The purpose of this act is to provide that the usefulness, productivity, and scenic values of all lands and waters involved in surface mining within the state will receive the greatest practical degree of protection and restoration. It is a further purpose of this act to provide a means of cooperation between private and governmental entities in carrying this act into effect.

NEW SECTION. Sec. 4. As used in this act, unless the context indicates otherwise:

(1) "Surface mining" shall mean all or any part of the process involved in mining of minerals by removing the overburden and mining directly from the mineral deposits thereby exposed, including open-pit mining of minerals naturally exposed at the surface of the earth, mining by the auger method, and including the production of surface mining refuse. For the purpose of this act surface mining shall mean those operations described in this paragraph from which more than ten thousand tons of minerals are produced or more than two acres of land is newly disturbed within a period of twelve consecutive calendar months. Surface mining shall not include excavation or removal of sand, gravel, clay, rock or other material in remote areas by an owner or holder of a possessory interest in land for the primary purpose of construction or maintenance of access roads to or on such landowner's property. Surface mining shall not include excavation or grading conducted for farming, on-site road construction or other on-site construction, but shall include adjacent or off-site borrow pits except those on landowner's property for use on access roads on such property. Prospecting and exploration activities shall be included within the definition of surface mining when they are of such nature and extent as to exceed the qualifying sizes listed above or when collectively they disturb more than one acre per eight acres of land area.

(2) "Unit of surface mined area" shall mean the area of land and water covered by each operating permit that is actually newly disturbed by surface mining during each

twelve-month period of time, beginning at the date of issuance of the permit, and shall comprise the area from which overburden and/or minerals have been removed, the area covered by spoil banks, and all additional areas used in surface mining operations which by virtue of such use are thereafter susceptible to excessive erosion.

(3) "Abandonment of surface mining" shall mean a cessation of surface mining, not set forth in an operator's plan of operation or by any other sufficient written notice, extending for more than six consecutive months or when, by reason of examination of the premises or by any other means, it becomes the opinion of the director of environmental quality that the operation has in fact been abandoned by the operator: PROVIDED, That the operator does not, within thirty days of receipt of written notification from the director of his intent to declare the operation abandoned, submit evidence to the director's satisfaction that the operation is in fact not abandoned.

(4) "Minerals" shall mean coal, clay, stone, sand, gravel, metallic ore, and any other similar solid material or substance to be excavated from natural deposits on or in the earth for commercial, industrial, or construction uses.

(5) "Overburden" shall mean the earth, rock, and other materials that lie above a natural deposit of mineral.

(6) "Surface mining refuse" shall mean all waste soil, rock, mineral, liquid, vegetation and other material directly resulting from or displaced by the mining, cleaning, or preparation of minerals during the surface mining operations on the operating permit area, and shall include all waste materials deposited on or in the permit area from other sources.

(7) "Spoil bank" shall mean a deposit of excavated overburden or mining refuse.

(8) "Operator" shall mean any person or persons, any partnership, limited partnership, or corporation, or any association of persons, either natural or artificial, including every public or governmental agency engaged in surface mining operations, whether individually, jointly, or through subsidiaries, agents, employees, or contractors.

(9) "Department" shall mean the department of environmental quality.

(10) "Director" shall mean the director of environmental quality or his designee.

(11) "Reclamation" shall mean the reasonable protection of all surface resources subject to disruption from surface mining and rehabilitation of the surface resources affected by surface mining. Although both the need for and the practicability of reclamation will control the type and degree of reclamation in any specific instance, the basic objective will be to reestablish on a continuing basis the vegetative cover, soil stability, water conditions, and safety conditions appropriate to the intended subsequent use of the area.

(12) "Reclamation plan" shall mean the operator's written proposal, as required and approved by the department, for reclamation of the affected resources which shall include, but not be limited to:

(a) A statement of the proposed subsequent use of the land after reclamation and satisfactory evidence that all owners of a possessory interest in the land concur with this proposed use;

(b) Evidence that this subsequent use would not be illegal under local zoning regulations;

(c) Proposed practices to protect adjacent surface resources;

(d) Specifications for surface gradient restoration to a surface suitable for the proposed subsequent use of the land after reclamation is completed, and proposed method of accomplishment;

(e) Manner and type of revegetation or other surface treatment of disturbed areas;

(f) Method of prevention or elimination of conditions that will create a public nuisance, endanger public safety, damage property, or be hazardous to vegetative, animal, fish, or human life in or adjacent to the area;

(g) Method of control of contaminants and disposal of surface mining refuse;

(h) Method of diverting surface waters around the disturbed areas;

(i) Method of restoration of stream channels and stream banks to a condition minimizing erosion and siltation and other pollution;

(j) Such maps and other supporting documents as reasonably required by the department; and

(k) A time schedule for reclamation that meets the requirements of section 10 of this act.

NEW SECTION. Sec. 5. The department of environmental quality is charged with the responsibility of administering this act. In order to implement the act's terms and provisions, the department of environmental quality, under the provisions of the administrative procedure act (chapter 34.04 RCW), as now or hereafter amended, may from time to time promulgate those rules and regulations necessary to carry out the purposes of this act. Such rules and regulations, together with the administrative provisions set forth in this act, shall be carried out and enforced by the director, who may, at his discretion establish a separate division within the department for that purpose. The assistant director in charge of this division shall be exempt from the provisions of the state civil service law in accordance with the terms of RCW 41.06.070. The staff of the department shall include mining engineers and/or geologists.

NEW SECTION. Sec. 6. This act shall not affect any of the provisions of the state fisheries laws (Title 75 RCW), the state water pollution control laws (Title 90 RCW), the state game laws (Title 77 RCW), or any other state laws, and shall be cumulative and nonexclusive.

NEW SECTION. Sec. 7. The director shall have the authority to conduct or authorize investigations, research, experiments and demonstrations, and to collect and disseminate information relating to surface mining and reclamation of surface mined lands.

NEW SECTION. Sec. 8. The department may cooperate with other governmental and private agencies in this state and other states and agencies of the federal government, and may reasonably reimburse them for any services the department requests that they provide. The department may also receive any federal funds, state funds and any other funds and expend them for reclamation of land affected by surface mining and for purposes enumerated in section 7 of this act.

NEW SECTION. Sec. 9. After the effective date of this act, no operator shall engage in surface mining without having first obtained an operating permit from the department. Except as otherwise permitted in this section, a separate permit shall be required for each separate surface mining operation. Prior to receiving an operating permit from the department an operator must submit an application on a form provided by the department, which shall contain the following information and any other pertinent data required by the director:

(1) Name and address of the legal landowner, any purchaser of the land under a real estate contract, and the operator and, if any of these are corporations or other business entities, the names and addresses of their principal officers and resident agent for service of process;

(2) Materials to be surface mined;

(3) Type of surface mining to be performed;

(4) Expected starting date of surface mining;

(5) Anticipated termination date of the surface mining project;

(6) Expected amount of mineral to be surface mined;

(7) Maximum depth of surface mining;

(8) Size and legal description of the area that will be disturbed by surface mining. If more than ten acres will be disturbed by surface mining or, regardless of the amount of land to be disturbed, if the director finds that conditions warrant it and so requests, a map of the area to be surface mined shall be submitted. The map shall show the boundaries of the area of land which will be affected; topographic detail; the location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area; location of proposed access roads to be built in conjunction with the surface mining operation; and the names of the surface and mineral owners of all lands within the surface mining area;

(9) A plan of surface mining that will provide, within limits of normal operational procedure of the industry, for completion of surface mining and associated disturbances on each segment of the area for which a permit is requested so that reclamation can be initiated at the earliest possible time on those portions of the surface mined area that will not be subject to further disturbance by the mining operation. Whenever feasible, visual screening, vegetative or otherwise, will be maintained or established on the property containing the surface mining to screen the view of the operation from public highways, public parks, and residential areas;

(10) A reclamation plan that must be acceptable to and approved by the director, except as provided in section 11 of this act. An operator may not depart from an approved plan without having previously obtained from the department written approval of his proposed change.

The department may adopt rules and regulations permitting an operator of more than one surface mining operation to submit a single application for a combined operating permit covering all of his surface mining operations. Such application may require detailing of information required by section 9 of this act for each separate location. An operator operating under such a combined permit may submit a consolidated reclamation program covering all his operations under rules and regulations prescribed by the department, but may be required to furnish specific information relative to reclamation of any single operating area if the department determines that such is necessary to carry out the purposes of this act.

NEW SECTION. Sec. 10. The reclamation plan shall provide that reclamation activities, particularly those relating to control of erosion, shall, to the extent feasible, be conducted simultaneously with surface mining and in any case shall be initiated at the earliest possible time after completion or abandonment of mining on any segment of the permit area. The plan shall provide that reclamation activities shall be completed not more than two years after completion or abandonment of surface mining on each segment of the area for which a permit is requested.

A reclamation plan will be approved by the director if it adequately provides for the accomplishment of the activities specified in the definition of "reclamation plan", section 4(12) of this act, and meets those of the following minimum standards that are applicable;

(1) Excavations made to a depth not less than two feet below the low groundwater mark, which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential, recreational, game, or wildlife purposes, shall be reclaimed in the following manner:

(a) All banks in soil, sand, gravel, and other unconsolidated materials shall be sloped to two feet below the low groundwater line at a slope no steeper than one and one-half feet horizontal to one foot vertical;

(b) Portions of solid rock banks shall be stepped or other measures be taken to permit a person to escape from the water.

(2) In all other excavations in soil, sand, gravel, and other unconsolidated materials, the side slopes and the slopes between successive benches shall be no steeper than one and one-half feet horizontal to one foot vertical for their entire length.

(3) The sides of all strip pits and open pits in rock and other consolidated materials shall be no steeper than one foot horizontal to one foot vertical, or other precautions must be taken to provide adequate safety.

(4) The slopes of quarry walls in rock or other consolidated materials shall have no prescribed angle of slope, but where a hazardous condition is created that is not indigenous to the immediate area, the quarry shall be either graded or backfilled to a slope of one foot horizontal to one foot vertical or other precautions must be taken to provide adequate safety.

(5) In strip mining operations the peaks and depressions of the spoil banks shall be reduced to a gently rolling topography which will minimize erosion and which will be in substantial conformity with the immediately surrounding land area.

(6) In no event shall any provision of this section be construed to allow stagnant water to collect or remain on the surface mined area. Suitable drainage systems shall be constructed or installed to avoid such conditions if natural drainage is not possible.

(7) All grading and backfilling shall be made with nonnoxious, nonflammable, noncombustible solids unless approval has been granted by the director for a supervised sanitary fill.

(8) In all types of surface mining, in order to prevent water pollution, all acid-forming surface mining refuse shall be disposed of by covering all acid-forming materials with at least two feet of clean fill. The final surface covering shall be graded so that surface water will drain away from the disposal area.

(9) Vegetative cover will be required in the reclamation plan as appropriate to the future use of the land.

(10) All surface mining that will disturb streams must comply with the requirements of the state fisheries laws (Title 75 RCW), and every application for an operating permit for such operations must have a reclamation plan that shall have been approved by the department of fisheries with regard to operations in streams as required by Title 75 RCW.

NEW SECTION. Sec. 11. Upon receipt of an application for a permit, the surface mining site must be inspected by a representative of the director. Within twenty-five days of receipt of the application and reclamation plan by the department and receipt of the permit fee, the director shall either issue an operating permit to the applicant or return any incomplete or inadequate application to the applicant along with a description of the deficiencies.

Failure to act within the twenty-five day period on the reclamation plan shall not be cause for denial of a permit. If the director refuses to approve a reclamation plan in the form submitted by the operator, he shall notify the operator in writing stating the reasons for his refusal and listing such additional requirements to the operator's reclamation plan as are necessary for the approval of the plan by the director. Within thirty days the operator shall either accept such additional requirements as a part of the reclamation plan or file notice of appeal.

The operating permit shall be granted for the period required to mine the land covered by the plan and shall be valid until the surface mining authorized by the permit is completed or abandoned, unless the permit is suspended by the director as provided in this act. The operating permit shall provide that the reclamation plan may be modified, after timely notice and opportunity for hearing, at any time during the term of the permit for any of the following reasons:

- (1) To modify the requirements so that they will not conflict with existing laws;
- (2) The director determines that the previously adopted reclamation plan is clearly impossible or impracticable to implement and maintain;
- (3) The director determines that the previously adopted reclamation plan is obviously not accomplishing the intent of this act; or
- (4) The operator and the director mutually agree to change the reclamation plan.

When one operator succeeds to the interest of another in any uncompleted surface mining operation by sale, assignment, lease, or otherwise, the director may release the first operator from the duties imposed upon him by this act as to such operation: PROVIDED, That both operators have complied with the requirements of this act and the successor operator assumes the duty of the former operator to complete the reclamation of the land, in which case the director shall transfer the permit to the successor operator upon approval of the successor operator's bond as required under this act.

NEW SECTION. Sec. 12. The permit fees required under this act shall be as follows:

(1) The basic fee for the permit shall be twenty-five dollars per permit year for each separate location, payable with submission of the application and annually thereafter with submission of the report required in section 14 of this act.

(2) In addition, there shall be a five dollar per acre fee for all acreage exceeding ten acres which was newly disturbed by surface mining during the previous permit year, which acreage fee shall be paid at the time of submission of the report required in section 14 of this act.

NEW SECTION. Sec. 13. Upon receipt of an operating permit an operator other than a public or governmental agency shall not commence surface mining until the operator has deposited with the department an acceptable performance bond on forms prescribed and furnished by the department. This performance bond shall be a corporate surety bond

executed in favor of the department by a corporation authorized to do business in the state of Washington under the provisions of chapter 48.28 RCW and approved by the department. The bond shall be filed and maintained in an amount equal to the estimated cost of completing the reclamation plan for the area to be surface mined during the next twelve-month period and any previously surface mined area for which a permit has been issued and on which the reclamation has not been satisfactorily completed and approved. The director shall have the authority to determine the amount of the bond that shall be required, and for any reason may refuse any bond not deemed adequate. In no case shall the amount of the bond be less than one hundred dollars or more than one thousand dollars per acre or fraction thereof.

The bond shall be conditioned upon the faithful performance of the requirements set forth in this act and of the rules and regulations adopted pursuant thereto.

In lieu of the surety bond required by this section the operator may file with the director a cash deposit, negotiable securities acceptable to the director, or an assignment of a savings account in a Washington bank on an assignment form prescribed by the director.

Liability under the bond shall be maintained as long as reclamation is not completed in compliance with the approved reclamation plan unless released prior thereto as hereinafter provided. Liability under the bond may be released only upon written notification from the director. Notification shall be given upon completion of compliance or acceptance by the department of a substitute bond. In no event shall the liability of the surety exceed the amount of the surety bond required by this section.

A public or governmental agency shall not be required to post a bond under the terms of this act.

A blanket performance bond covering two or more surface mining operations may be submitted by an operator in lieu of separate bonds for each separate operation.

NEW SECTION. Sec. 14. Within thirty days after completion or abandonment of mining on an area under permit or within thirty days after each annual anniversary date of the operating permit, whichever is earlier, or at such later date as may be provided by department rules and regulations, and each year thereafter until reclamation is completed and approved, the operator shall file a report of activities completed during the preceding year on a form prescribed by the department, which report shall:

- (1) Identify the operator and permit number;
- (2) Locate the operation by subdivision, section, township, and range, and with relation to the nearest town or other well known geographic feature;
- (3) Estimate acreage to be newly disturbed by surface mining in the next twelve-month period; and
- (4) Update any maps previously submitted or provide such maps as may be specifically requested by the department. Such maps shall show:
 - (a) The operating permit area;
 - (b) The unit of surface mined area;
 - (c) The area to be surface mined during the next twelve-month period;
 - (d) If completed, the date of completion of surface mining;
 - (e) If not completed, the area that will not be further disturbed by the mining operations; and
 - (f) The date of beginning, amount, and current status of reclamation performed during the previous twelve months. An operator operating under a combined operating permit may submit a single annual report, but such report shall include the data required in section 14 of this act for each separate operating area.

NEW SECTION. Sec. 15. Upon receipt of the operator's report, and at any other reasonable time the department may elect, the director shall cause the permit area to be inspected to determine if the operator has complied with the reclamation plan and the department's rules and regulations.

The operator shall proceed with reclamation as scheduled in his reclamation plan. Following any written notice by the director noting deficiencies, the operator shall commence action within thirty days to rectify these deficiencies and shall diligently proceed until the deficiencies are corrected: PROVIDED, That deficiencies that also violate other laws that require earlier rectification shall be corrected in accordance with the applicable time provisions of such laws. The director may extend performance periods referred to in this section and in section 9 of this act, for delays clearly beyond the operator's control, but only when the operator is, in the opinion of the director, making every reasonable effort to comply.

Within thirty days after notification by the operator and when in the judgment of the director reclamation of a unit of surface mined area is properly completed, the mining operator shall be notified in writing and his bond on said area shall be released or decreased proportionately.

If reclamation of surface mined land is not proceeding in accordance with the reclamation plan and the operator has not commenced action to rectify deficiencies within thirty days after notification by the director, or if reclamation is not properly completed in conformance with the reclamation plan within two years after completion or abandonment of surface mining on any segment of the permit area, the director is authorized, with the staff, equipment and material under his control, or by contract with others, to take such actions as are necessary for the reclamation of the surface mined areas. The department shall keep a record of all necessary expenses incurred in carrying out any project or activity authorized under this section, including a reasonable charge for the services performed by the state's personnel and the state's equipment and materials utilized.

The director shall notify the operator and his surety by order. The order shall state the amount of necessary expenses incurred by the department in reclaiming the surface mined land and a notice that the amount is due and payable to the department by the operator and the surety.

If the amount specified in the order is not paid within thirty days after receipt of the notice, the attorney general, upon request of the director, shall bring an action on behalf of the state in the superior court for Thurston county or any county in which the persons to whom the order is directed do business to recover the amount specified in the final order of the department. The surety shall be liable to the state to the extent of the bond.

The amount owed the department by the operator for the reclamation performed by the state may be recovered by a lien against the reclaimed property, which may be enforced in the same manner and with the same effect as a mechanic's lien.

In addition to the other liabilities imposed by this act, failure to commence action to rectify deficiencies in reclamation within thirty days after notification by the department or failure satisfactorily to complete reclamation work on any segment of the permit area within two years after completion or abandonment of surface mining on any segment of the permit area shall constitute sufficient grounds for cancellation of a permit and refusal to issue another permit to the delinquent operator until such deficiencies are corrected by the operator.

NEW SECTION. Sec. 16. Any operator conducting surface mining within the state of Washington without a valid operating permit shall be guilty of a gross misdemeanor. Each day of operation shall constitute a separate offense.

NEW SECTION. Sec. 17. When the director finds that an operator is conducting surface mining on an area for which a valid operating permit is not in effect, or is conducting surface mining in any manner not authorized by his operating permit or by the rules and regulations adopted by the department, the director may forthwith order such operator to suspend all such operations until compliance is effected or assured to the satisfaction of the director. In the event the operator fails or declines to obey such order, the facts may be reported by the director to the attorney general. The attorney general shall forthwith take the necessary legal action to enjoin, or otherwise cause to be stopped, such conduct of surface mining.

NEW SECTION. Sec. 18. Appeals from determinations made under this act shall be made under the provisions of the administrative procedure act (chapter 34.04 RCW), as now or hereafter amended and shall be considered a contested case within the meaning of the administrative procedure act (chapter 34.04 RCW).

NEW SECTION. Sec. 19. Operators of surface mines in operation on the effective date of this act shall have ninety days thereafter to submit an application for an operating permit. Any such operator who has timely filed an application for an operating permit but for reasons beyond his control has neither received an operating permit nor had his application denied within twenty-five days after his application has been submitted as provided in section 9 of this act, shall have issued to him by the department a temporary operating permit, which, if the applicant is diligently pursuing his application, shall be effective until a regular operating permit is either issued or denied.

NEW SECTION. Sec. 20. All reclamation plans, operators' reports and other required information under this act shall be for the confidential use of the director who shall by rule or regulation provide for the release thereof to proper interested persons.

NEW SECTION. Sec. 21. Nothing in this act shall authorize surface mining in violation of an ordinance or resolution of the city, town or county within which the surface mining is conducted.

NEW SECTION. Sec. 22. Until such time as a department of environmental quality is established, the provisions of this act shall be administered by the department of natural resources and any reference in sections 2 through 20 of this act to the "department" or to "the department of environmental quality" shall mean the department of natural resources; in accordance therewith, until such time as a department of environmental quality is established, references in sections 2 through 20 of this act to the "director" and "the director of environmental quality" shall be deemed to mean the state land commissioner.

NEW SECTION. Sec. 23. This act shall not direct itself to the reclamation of land mined prior to the effective date of this act.

NEW SECTION. Sec. 24. This act shall become effective January 1, 1971.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Peterson (Lowell) moved that the Senate do not concur in the House amendments to Engrossed Substitute Senate Bill No. 139, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed SENATE BILL NO. 191 with the following amendments:

On page 1, line 2 of the title after "RCW 36.32.020" and before the period insert the following: "; and adding a new section to RCW 27.24"

On page 2, line 3 after "three." add another section as follows:

"NEW SECTION. Sec. 2. Notwithstanding the provisions of RCW 27.24.010, wherever two or more counties comprise a superior court judicial district, the boards of law library trustees of these counties may by a vote of a majority of each board join together and consolidate. The funds collected shall be administered by said consolidated board and there shall be one central law library to be located in the county court house nearest the population center of said judicial district. The consolidated board may take such further action as necessary to carry out the purpose of this section not otherwise proscribed by law."

and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

Senator Elicker moved that the Senate do not concur in the House amendments to Senate Bill No. 191, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 226 with the following amendments:

On page 2 of the title, line 18, after "and RCW" and before "chapter 13" strike "47.16.190," and insert "47.16.180; repealing section 47.16.190,"

On page 2 of the title, line 33, after "RCW 47.20.060;" at the end of the line, insert "repealing section 47.20.070, chapter 13, Laws"

On page 3 of the title, line 16, after "RCW 47.20.140;" and before "repeal-" insert "repealing section 47.20.150, chapter 13, Laws of 1961 and RCW 47.20.150;"

On page 3 of the title, strike all of line 30 as it begins with "in section 47.20.210." and ends with "as last amended" and insert "ing section 47.20.210, chapter 13, Laws of 1961 as amended by section 10, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.210; repealing section 47.20.220, chapter 13, Laws of 1961 as last amended"

On page 4 of the title, line 18, from the beginning of the line, and before "chapter 13," strike ".30," and insert ".320,"

On page 56, section 178, line 24 after "by section" and before "ex. sess." strike "8, chapter 281, Laws of 1969" and insert "10, chapter 3, Laws of 1963", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Henry, the Senate concurred in the House amendments to Substitute Senate Bill No. 226.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 226, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

SUBSTITUTE SENATE BILL NO. 226, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 294 with the following amendment:

Strike everything after the enacting clause and insert:

"Section 1. Section 35A.02.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.040 are each amended to read as follows:

When one or more ordinances are passed under RCW 35A.02.020 or RCW 35A.02.030, the clerk of the city or town shall forward to the secretary of state a certified copy of any such ordinance. Upon the filing in the office of the secretary of state of a certified copy of an ordinance adopting the classification of noncharter code city, such city or town shall thereafter be classified as a noncharter code city; except that if there is also filed with the secretary of state a certified copy of an ordinance providing for reorganization of the municipal government of such city or town, such reclassification and reorganization shall not be effective until the election and qualification under section 35A.02.050 as amended of the new officers under the plan of government so adopted.

Sec. 2. Section 35A.02.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.050 are each amended to read as follows:

The first election of officers under a plan of government adopted in the manner provided in RCW 35A.02.020 or 35A.02.030 shall be at the next general municipal election if one is to be held [within] *more than ninety days but not more than one hundred and eighty days* after certification of a reorganization ordinance or at a special election to be held for that purpose not less than ninety days nor more than one hundred and eighty days from the certification of such ordinance. *In the event that the first election of officers as herein provided is to be held at a general municipal election, such election shall be preceded by a primary election pursuant to RCW 29.13.070. In the event that the first election of officers as herein provided is to be held at a special election, and notwithstanding any provisions of any other law to the contrary, such special election shall be preceded by a primary election to be held not less than forty-five nor more than sixty days prior to the date of the special election: PROVIDED, That in the event the ordinances calling for reclassification or reclassification and reorganization under the provisions of Title 35A RCW have been filed with the secretary of state pursuant to RCW 35A.02.040 in an even numbered year at least ninety days prior to a state general election then the election of new officers shall be concurrent with the state primary and general election and shall be conducted as set forth in chapter 35A.29 RCW. Declarations of candidacy for any primary election held pursuant to this section shall be filed as provided in RCW 35A.29.110 as amended.* The terms of the persons holding office at the time of such proceedings shall continue until the new officers are elected and qualified [;] *as provided in this 1970 amendatory act*, and the ordinances, bylaws and resolutions adopted under the former plan of government, where not in conflict with state law, shall continue in force until repealed or amended by the legislative body of the reorganized noncharter code city. The former officers shall, upon the election and qualification of new officers, deliver to the proper officers of the reorganized noncharter code city all books of record, documents and papers in their possession belonging to such municipal corporation before the reorganization thereof. *Officers elected at the first election of officers held pursuant to this amendatory act shall assume office as soon as the election returns have been certified.*

Sec. 3. Section 35A.12.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.040 are each amended to read as follows:

Officers shall be elected at biennial municipal elections to be conducted as provided in chapter 35A.29. The mayor and the councilmen shall be elected for four year terms and until their successors are elected and qualified; except that at the first election [the] three councilmen in cities having seven councilmen, and [the] two councilmen in cities having five councilmen, [who received the lesser number of votes at such election] shall be elected for two year terms and the remaining councilmen shall be elected for four year terms, *and the mayor in office at the time of such election shall continue for another four year term coextensive with the terms for which councilmen elected for four years are elected and there shall be no election as to mayor.* Thereafter the requisite number of councilmen shall be elected biennially as the terms of their predecessors expire and shall serve for terms of four years. [After the first election,] The positions to be filled on the city council shall be designated by consecutive numbers and shall be dealt with as separate offices for all election purposes, as provided in RCW 35A.29.105. *At the first election in cities having seven councilmen, the candidates elected to positions one, two, and three shall serve for two year terms and the candidates elected to positions four, five, six and seven shall serve for four year terms; at the first election in cities having five councilmen, the candidates elected to positions one and two shall serve for two year terms and the candidates elected to positions three, four, and five shall serve for four year terms: PROVIDED, That in any city which holds its first election under this title in the calendar year 1970, candidates elected for two year terms shall hold office until their successors are elected and qualified at the general municipal election to be held in November, 1973 and candidates elected for four year terms shall hold office until their successors are elected and qualified at the general municipal election to be held in November, 1975.* Election to positions on the council shall be by majority vote from the city at large, unless provision is made by charter or ordinance for election by wards. The city council shall be the judge of the qualifications of its members and determine contested elections of city officers, subject to review by certiorari as provided by law. The mayor and councilmen shall qualify by taking an oath or affirmation of office and as may be provided by law, charter, or ordinance.

Sec. 4. Section 35A.29.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.110 are each amended to read as follows:

A candidate for office in a code city shall file a declaration of candidacy substantially in the form set forth in RCW 29.18.030 insofar as such form is applicable to nonpartisan offices. Declarations of candidacy for offices of code cities to be voted upon at any municipal general election shall be filed with the city clerk or code city clerk [not more than sixty nor less than forty-five days prior to the date of the election] not earlier than the last Monday of July nor later than the next succeeding Friday in the year such general election is to be held: PROVIDED, That if the first election of officers under a plan of government adopted in the manner provided in sections 35A.02.020, 35A.02.030 or 35A.02.080 is a special election as provided in section 35A.02.050 as amended, such declarations of candidacy shall be filed with the city clerk not more than fifty nor less than forty-six days prior to the primary election provided for in RCW 35A.02.050 as amended. Any candidate may withdraw his declaration at any time but not later than five days [before] after the last day allowed for filing declarations of candidacy. Nominating petitions for charter commissioners and for any other office for which nominating petitions may be required shall be [governed by the provisions of this section as to the time for filing and withdrawal of such petitions] filed with the city clerk or code city clerk not more than sixty nor less than forty-six days prior to the date of the election, and may be withdrawn at any time but not later than five days after the last day allowed for filing such petitions.

Sec. 5. Section 35A.29.150, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.150 are each amended to read as follows:

Except as otherwise provided in this chapter, municipal elections in code cities having seven or more councilmen shall be conducted in accordance with the applicable provisions of Title 29 RCW relating to elections in [municipal corporations] first, second and third class cities and the municipal elections in code cities having five councilmen shall be conducted in accordance with the applicable provisions of Title 29 RCW relating to elections in fourth class municipalities (towns).

Sec. 6. Section 35.13.015, chapter 7, Laws of 1965 as last amended by section 7, chapter 73, Laws of 1967 and RCW 35.13.015 are each amended to read as follows:

In addition to the method prescribed by RCW 35.13.020 for the commencement of annexation proceedings, the legislative body of any city or town may, whenever it shall determine by resolution that the best interests and general welfare of such city or town would be served by the annexation of unincorporated territory contiguous to such city or town, file a certified copy of the resolution with the board of county commissioners of the county in which said territory is located. The resolution of the city or town initiating such election shall describe the boundaries of the area to be annexed, as nearly as may be stated the number of voters residing therein, pray for the calling of an election to be held among the qualified voters therein upon the question of annexation, and provide that said city or town will pay the cost of the annexation election. The resolution may require that there also be submitted to the electorate of the territory sought to be annexed a proposition that all property within the area annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property of such annexing city or town is assessed and taxed to pay for any then outstanding indebtedness of the city or town to which said area is annexed, contracted prior to, or existing at, the date of annexation. Whenever a city or town has prepared and filed a comprehensive plan for the area to be annexed as provided for in RCW 35.13.177 and 35.13.178, the resolution initiating the election may also provide for the simultaneous adoption of the comprehensive plan upon approval of annexation by the electorate of the area to be annexed. The resolution initiating the election may also provide for the simultaneous creation of a community municipal corporation and election of community council members as provided for in RCW 35.14.010 through 35.14.060 upon approval of annexation by the electorate of the area to be annexed. In cities under the optional municipal code the resolution initiating the election may also provide for the simultaneous inclusion of the annexed area into a named existing community municipal corporation. The proposition for the creation of a community municipal corporation may be submitted as part of the annexation proposition or may be submitted as a separate proposition. The proposition for inclusion within a named existing community municipal corporation shall be submitted as part of the annexation proposition.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.”
and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Durkan moved that the Senate do concur in the House amendment to Engrossed Substitute Senate Bill No. 294.

Debate ensued.

POINT OF INQUIRY

Senator Lewis (Brian): “Will Senator Durkan yield? Senator, I do not have the House amendment in my book. If I heard the Secretary read correctly, the House struck the whole

bill and substituted their own. Can you tell me, Senator, in the Engrossed Substitute Senate Bill No. 294 which we passed through the Senate, there was a section six, which was my amendment. Is that new section six incorporated in the language of the new House version of the bill?"

Senator Durkan: "My answer tentatively would be no, it is not, Senator.

Further debate ensued.

The motion carried. The Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 294.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 294, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 294, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 317 with the following amendment:

On line 19, page 1, of the engrossed bill, strike "*but not in excess of twelve percent per annum,*", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Greive moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 317, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 318 with the following amendment:

On page 1, line 17, of the engrossed bill after the word "*bear,*" strike "*but not in excess of twelve percent per annum,*", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Greive moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 318, and that the House be asked to recede therefrom.

Debate ensued.

The motion carried.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed SENATE BILL NO. 324 with the following amendments:

On page 1, section 1, line 15, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 2, section 2, line 8, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 1, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 31, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Sandison, the Senate concurred in the House amendments to Senate Bill No. 324.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 324, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

SENATE BILL NO. 324, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 7, 1970.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 13 and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Wilson moved that the Senate refuse to recede from its amendments to Engrossed House Bill No. 13 and ask the House for a conference thereon.

POINT OF INQUIRY

Senator Talley: "Will Senator Wilson yield? That is where we got double-crossed the last time in a conference committee."

Senator Wilson: "Senator Talley, I will be in on the conference."

The motion carried.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as Senate members of the Conference Committee on Engrossed House Bill No. 13, Senators Wilson, Ridder and Huntley.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 7, 1970.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 169 and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

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MOTION

On motion of Senator Woodall, the Senate refused to recede from its amendments to Substitute House Bill No. 169 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as Senate members of the Conference Committee on Substitute House Bill No. 169, Senators Wilson, Donohue and Woodall.

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 7, 1970.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 201 and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Washington, the Senate refused to recede from its amendments to Engrossed House Bill No. 201 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as Senate members of the Conference Committee on Engrossed House Bill No. 201, Senators Washington, Woodall and Cooney.

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

MESSAGES FROM THE HOUSE

February 9, 1970.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 5 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 9, 1970.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 51 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Durkan, the Senate returned to the first order of business.

REPORTS OF STANDING COMMITTEE

February 9, 1970.

SENATE BILL NO. 142, implementing law relating to levy of property taxes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Connor, Donohue, Dore, Francis, Gissberg, Greive, McCormack, Mardesich, Odegaard, Ridder, Ryder, Sandison, Stortini, Walgren, Washington, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

February 6, 1970.

SUBSTITUTE HOUSE BILL NO. 180, reducing property tax millage limitations by one-half (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Day, Faulk, Foley, Gissberg, Lewis (Harry), McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Ridder, Ryder, Twigg, Washington, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

SECOND READING

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

Authorizing cities and counties to impose a sales and use tax.

REPORT OF STANDING COMMITTEE

February 3, 1970.

ENGROSSED HOUSE BILL NO. 21, authorizing cities and counties to impose a sales and use tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 6 after "property" and before "shall be deemed" insert " , or consisting of a sale of tangible personal property with respect to which the selling price is five thousand dollars or less and which is to be installed by the seller,"

On page 2, section 3, line 18 after "seller" and before "shall be deemed" insert "with respect to which the selling price is in excess of five thousand dollars."

On page 2, section 3, after line 30 insert a new subsection as follows:

"(8) "Persons who are taxable by the state" shall include persons required to collect a sales or use tax pursuant to chapters 82.08 and 82.12 RCW."

On page 4, section 7, line 2, after "Sec. 7." and before "the state" strike "Bimonthly" and insert "At least once each calendar quarter"

On page 4, section 7, line 5, after "section" and before "of this" strike "5" and insert "6"

On page 4, line 21, insert the following new sections:

"NEW SECTION. Sec. 9. In lieu of a sales and use tax any county or city may impose a wheel tax pursuant to sections 10 through 16 of this act.

NEW SECTION. Sec. 10. For purposes of sections 10 through 16 of this act:

(1) "City" means a city or town;

(2) "Motor vehicle" shall have the meaning defined in RCW 82.44.010, as now or hereafter amended;

(3) "Residence" or "place of residence" except as used in subsection (4) means the place where the owner has his legal residence at the time the license for the motor vehicle, the use of which is subject to tax under this act, was issued or renewed pursuant to chapter 46.16 RCW.

(4) In the event the motor vehicle is owned by a corporation, partnership, trust or estate or is a commercial vehicle, the "place of residence" shall be deemed to be the place of principal use of such motor vehicle.

(5) "Place of principal use" means the county or city within which the commercial enterprise in which such vehicle is used has a place of business therein, and, where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled in or from such place of business, and, the vehicle has been assigned to such place of business.

In case of doubt or dispute as to the proper "place of principal use" of a vehicle, the department of motor vehicles shall make the final determination, but in making such determination, may confer with the cities or counties affected.

(6) "Owner" means a person who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, or in the event a vehicle is subject to a lease, contract or other legal arrangement vesting right of possession or control, for security or otherwise, or in the event a mortgagor of a vehicle is entitled to possession, then the owner shall be deemed to be such person in whom is vested right of possession or control.

(7) "Commercial vehicle" means any vehicle which is used for the transportation of persons for hire, compensation or profit, or designed or used primarily for the transportation of property.

NEW SECTION. Sec. 11. The governing body of any county or city may, by ordinance or resolution fix and impose a tax upon the privilege of using a motor vehicle within its boundaries in accordance with the terms of this act. Such tax shall be collected from each person who owns a motor vehicle so used and has a place of residence in the county or city imposing the tax. The rate of such tax imposed by a county shall not exceed one percent of the fair market value of each motor vehicle. The rate of such tax imposed by a city shall not exceed one percent of the fair market value of each motor vehicle: PROVIDED,

HOWEVER, That in the event a county shall impose a tax under this act at the maximum rate of one percent, the rate of such tax imposed by any city therein shall not exceed eighty-five one-hundredths of one percent. In no case shall the tax imposed by a city or county be less than one dollar.

The maximum amount of tax which may be collected for the privilege of using for-hire vehicles, auto stages, trucks, or truck-tractors used for commercial purposes shall be one hundred dollars.

NEW SECTION. Sec. 12. Any motor vehicle use tax ordinance or resolution shall include the following:

(1) A provision that the tax will be imposed only upon the privilege of using a motor vehicle, the owner of which has his place of residence in said county or city.

(2) A provision that the tax shall not apply in respect to motor vehicles owned by the United States, the state, any municipal corporation, or county, or in respect to any motor vehicle operating under dealer's license plates, or which is used primarily in interstate commerce.

(3) A provision that the tax shall be collected for each calendar year and no additional tax shall be imposed upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the year in which the transfer of ownership occurs.

(4) A provision adopting the schedule, and methods of determination and appraisal of the fair market value of motor vehicles in accordance with RCW 82.44.040 and 82.44.050.

NEW SECTION. Sec. 13. Any county motor vehicle use tax ordinance adopted pursuant to this act shall contain, in addition to all other provisions required by this act, a provision allowing a credit against the county tax for the full amount of any city tax imposed upon the use of the same motor vehicle.

NEW SECTION. Sec. 14. A city shall contract prior to the effective date of a resolution or ordinance imposing a tax upon the privilege of using a motor vehicle within the city, the administration and collection to the county auditor of the county wherein such city is located. The county auditor shall deduct an amount not to exceed two percent of the taxes collected for administration and collection expenses incurred by the county auditor. Said amount in addition to any taxes collected for the county pursuant to this act shall revert to the county treasury. All amounts collected for cities pursuant to this act less the amount deducted for administration and collection expenses shall be deposited in a special fund under the custody of the county treasurer to be known as the municipal motor vehicle tax revolving fund.

NEW SECTION. Sec. 15. Quarterly the county treasurer shall distribute from the municipal motor vehicle tax revolving fund to each city the amount of tax collected on behalf of such city, less the deduction provided for in section 14 of this act.

NEW SECTION. Sec. 16. Any ordinance or resolution adopted or amended pursuant to this act shall not take effect prior to January 1 of the year following adoption or amendment of said ordinance or resolution: **PROVIDED**, That no county may adopt or amend an ordinance or resolution after October 1 for imposition the following January 1, and no city may adopt or amend a resolution or ordinance after November 1 for imposition the following January 1: **PROVIDED, FURTHER**, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax imposed pursuant to this act by a county or city for the first time upon the privilege of using a motor vehicle shall only be levied for the remaining months of the calendar year, including the month in which the use of the motor vehicle is being so taxed."

Renumber succeeding sections.

On page 5, section 11, renumbered section 19, on line 7 after "Sec. 19." strike the entire sentence beginning with "Sections" and ending with the period on line 8 and insert: "Sections 1 through 7 and 17 and 18 are added to and shall constitute a new chapter in Title 82 RCW. Sections 9 through 17 are added to and shall constitute a new chapter in Title 82 RCW."

On page 5 add a new section after section 11 to read as follows:

"NEW SECTION. Sec. 12. One million dollars is appropriated from the general fund to the department of revenue for the fiscal biennium ending June 30, 1971 to carry out the provisions of this act: **PROVIDED**, That if the amount deducted through June 30, 1970 for administration and collection expenses by the department of revenue as provided in section 6 of this act is less than one million dollars, this appropriation shall be reduced to the actual amount deducted for administration and collection expenses."

In line 4 of the title after "82 RCW:" and before "and declaring" insert "making an appropriation;"

Signed by: Senators Anderson, Atwood, Canfield, Connor, Day, Donohue, Faulk, Francis, Huntley, McCormack, Marquardt, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Storti, Twigg, Walgren, Williams.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendment to page 4, line 21 inserting new sections 9 through 16 was laid upon the table.

On motion of Senator McCormack, the amendment to page 4, section 11 was not adopted.

On motion of Senator McCormack, the remaining committee amendments were adopted.

Senator Day moved adoption of the following amendment by Senators Day, Stortini and Odegaard:

On page 3, section 4, line 2, after the period following "act" and before "Such" insert "PROVIDED, That such resolution or ordinance shall grant to the people right of referendum which may be exercised by the obtaining of ten percent of the signatures of the eligible voters who participated in the preceding general election."

Debate ensued.

Senator McDougall moved adoption of the following amendment to the amendment by Senators Day, Stortini and Odegaard:

After "election" and before the period on the last line of the Day amendment, insert "PROVIDED, That such referendum petition accompanied by sufficient signatures be filed with the clerk of the city or county within sixty days of enactment thereof; that the operation of the resolution or ordinance shall be suspended upon the filing of a petition for referendum until it is determined either (a) that there were insufficient signatures to validate call for a referendum vote or (b) a majority of the voters voting thereon vote to adopt and ratify the ordinance or resolution at a special election called to vote thereon within sixty days of validation of the referendum petition"

On motion of Senator McCutcheon, the amendment to the amendment was laid upon the table on a rising vote.

POINTS OF INQUIRY

Senator Elicker: "Will Senator Walgren yield? Senator, I understand that you are the attorney for the city of Bremerton and have done some research into the possible constitutionality of a referendum provision on a local tax measure. Could you give us the results of your research?"

Senator Walgren: "Thank you for those very kind remarks, Senator Elicker. My interest is not just because I am the city attorney for the city of Bremerton but more particularly because I am chairman of the interim committee of municipal government in the state legislature. The great need for this type of legislation has become only too apparent to me.

"With regard to this amendment, I think that we have a real constitutional problem here. While the state of Washington, the state legislature and our state Constitution have reserved to the people certain legislative powers, the contrary, I think is true as it relates to county and municipal governments.

"Under the Constitution, Article XI, section twelve, we have given the power to tax people of the state, that is, as far as the counties and the cities are concerned, invested that power in the boards of government whether it be the board of county commissioners or the city councils. We have made no provision for continuing or delegating that authority further to the people. Consequently, I think that if an amendment such as that proposed by Senator Day were adopted by this body we would find ourselves in a rather difficult constitutional position. I think that the courts would be very likely to hold that this would be an unconstitutional delegation of power and find that it was an inappropriate reference."

Senator Peterson (Lowell): "Will Senator Walgren yield? Senator, if this proposed amendment of Senator Day's in your opinion is constitutional, is there any legal way that we could draft the right of referendum on this measure to local governments?"

Senator Walgren: "My opinion does not go to the question of whether or not you can attach a referendum to this bill itself. Rather, as I understand Senator Day's amendment, it would require that at any time the particular governing body wish to impose this tax, it then refers it to the people. That is where we run into the constitutional problem."

Senator Canfield: "Will Senator Day yield? Senator, as I have your amendment before me, it provides for the right of referendum but it sets no time element. Is there a time element inherent in the referendum law?"

Senator Day: "I believe ninety days, Senator. However, that is what the amendment to the amendment by Senator McDougall would have done which was defeated by the body."

Senator Ridder moved adoption of the following amendment to the amendment by Senators Day, Stortini and Odegaard:

On line 4 of the amendment after "exercised" insert "within ninety days of the enactment of such ordinance or resolution"

Debate ensued.

The motion carried and the amendment to the amendment was adopted.

The President declared the question before the Senate to be the adoption of the amendment as amended.

Senator Day demanded a roll call and the demand was sustained by Senators Ridder, Stender, Greive, Pritchard, Odegaard, Peterson (Lowell), McCutcheon, Donohue and Wilson.

ROLL CALL

The Secretary called the roll and the amendment, as amended, was not adopted by the following vote: Yeas, 23; nays, 26.

Voting yea: Senators Andersen, Day, Donohue, Dore, Foley, Francis, Gissberg, Greive, Guess, Herr, Keefe, Lewis (Harry), McCutcheon, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Stender, Stortini, Wilson—23.

Voting nay: Senators Atwood, Bailey, Canfield, Connor, Cooney, Durkan, Elicker, Faulk, Henry, Holman, Huntley, Knoblauch, Lewis (Brian), McCormack, McDougall, Matson, Newschwander, Peterson (Ted), Pritchard, Ryder, Talley, Twigg, Walgren, Washington, Williams, Woodall—26.

Senator Lewis (Brian) moved adoption of the following amendment:

On page 5, section 11, add new sections, sections 12 through 21. Renumber section 12 as section 22.

“NEW SECTION. Sec. 12. There is added to chapter 15, Laws of 1961 and to Title 82 RCW, a new section to read as follows:

(1) Ten percent of any personal property taxes paid before delinquency by any taxpayer upon business inventories as defined in section 3 of this 1970 amendatory act, shall be allowed as a credit against the total of any taxes imposed on such taxpayer or its successor by chapters 82.04, 82.30, 82.08 (with respect to sales taxes paid as a buyer), and 82.12 RCW, as such chapters are now or hereafter amended, with respect to the same taxable year in which such property taxes were paid. Such credit shall be applied against the types of taxes specified in the preceding sentence in the sequence in which they appear therein.

(2) For calendar years subsequent to calendar year 1971, an additional percentage of any personal property taxes paid before delinquency by any taxpayer upon business inventories as defined in section 3 of this 1970 amendatory act, shall be allowed as a credit against any portion of the tax liability in excess of the rate of three and one-half percent incurred by such taxpayer or its successor pursuant to chapter 82.30 RCW (net income tax), as now or hereafter amended, with respect to the same taxable year in which such property taxes were paid, as follows:

Taxes paid in 1972	10 percent
Taxes paid in 1973	20 percent
Taxes paid in 1974	30 percent
Taxes paid in 1975	40 percent
Taxes paid in 1976	50 percent
Taxes paid in 1977	60 percent
Taxes paid in 1978	70 percent
Taxes paid in 1979	80 percent
Taxes paid in 1980 and thereafter	90 percent

If in any year the amount of such credit for such year (including any credit carried over from any prior year or years) exceeds the amount of tax or taxes imposed on such taxpayer or its successor by any tax or taxes against which such credit is allowed with respect to such year, then such excess shall be allowed as a credit against such tax or taxes imposed on such taxpayer or its successor with respect to any of the next succeeding five years.

NEW SECTION. Sec. 13. There is added to chapter 15, Laws of 1961 and to Title 82 RCW a new section to read as follows:

For purposes of this 1970 amendatory act, “business inventories” means personal property in this state held primarily for sale in the ordinary course of trade or business or for consumption in the production of property so held or to be held, including livestock, furbearing animals, fish, fowl and bees; crops and agricultural products; stock in trade, merchandise, products, supplies and containers; raw materials; finished or partly finished goods, unassembled parts and work in process. “Business inventories” shall not include property which is being leased or rented, nor shall it include machinery, machines, equipment, tools or furniture except when such property is held primarily for sale in the ordinary course of a trade or business.

NEW SECTION. Sec. 14. There is added to chapter 15, Laws of 1961 and to Title 82 RCW a new section to read as follows:

For purposes of this 1970 amendatory act, the word “successor” shall have the meaning given to it in RCW 82.04.180.

NEW SECTION. Sec. 15. Sections 2, 3 and 4 of this 1970 amendatory act shall constitute a new chapter in Title 82 RCW.

Sec. 16. Section 82.04.240, chapter 15, Laws of 1961 as last amended by section 34, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.240 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), (3), (4), (5), (6), or (8) of RCW 82.04.260 engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of [forty-four one] ninety-one two-hundredths of one percent: PROVIDED, That upon and after the

effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.*, which impose a tax upon net income, the amount of tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of twenty-two one-hundredths of one percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 17. Section 82.04.250, chapter 15, Laws of 1961, as last amended by section 35, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.250 are each amended to read as follows:

Upon every person engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of [forty-four one] *ninety-one two-hundredths* of one percent: PROVIDED, That upon and after the effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.* which impose a tax upon net income, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of twenty-two one-hundredths of one percent.

Sec. 18. Section 82.04.270, chapter 15, Laws of 1961, as last amended by section 37, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsection (1) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of [forty-four one] *ninety-one two-hundredths* of one percent: PROVIDED, That upon and after the effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.* which impose a tax upon net income, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of twenty-two one-hundredths of one percent.

(2) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying [forty-four one] *ninety-one two-hundredths* of one percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That upon and after the effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.* which impose a tax upon net income, the amount of tax as to such persons shall be computed by multiplying twenty-two one-hundredths of one percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 19. Section 16, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.150 are each amended to read as follows:

(1) The amount of any sales tax or use tax which qualifies under RCW 82.04.435 for credit against business and occupation taxes, shall be allowable as a credit against taxes imposed by this chapter, but only to the extent such amount has not been taken as a credit under RCW 82.04.435: PROVIDED, HOWEVER, That the amount of the credit allowable under this subsection may not exceed for any taxable year one hundred percent of the credit allowable under RCW 82.04.435 for such taxable year.

(2) Every individual who has been a resident during a taxable year shall be entitled for such taxable year to a credit against taxes imposed by this chapter for taxes imposed under chapter 82.08 RCW on sales of food products for home consumption. Such credit shall be claimed on the return required to be filed under this chapter and shall be credited against the net income tax otherwise due. This credit shall be in the amount of fifteen dollars for each individual for each taxable year. If the tax liability of any individual shown by the return is less than the total amount of the credit which he is entitled to claim pursuant to this subsection, such individual shall be entitled to a refund in the amount of the excess of the credit over the net income tax otherwise due. If any individual entitled to claim a credit pursuant to this subsection is not otherwise required by this chapter to file a return, a refund may be obtained in the amount of such credit by filing a return, completed insofar as may be applicable, and claiming such refund. No credit or refund shall be allowed pursuant to this subsection unless such credit or refund is claimed on a return filed for the taxable

year in which such retail sales taxes were paid subject to the three year limitation prescribed in section 6511 of the internal revenue code.

(3) During the last six months of each even numbered year, the department of revenue shall conduct a study to determine the adequacy of the amount of the credit provided for in subsection (2) of this section to reflect the average per capita amount of sales tax paid by Washington residents on food items for home consumption. Such studies shall be based upon the consumer price index for food of the United States Bureau of Labor Statistics, and upon such other statistical studies as the department deems appropriate. If the study shows the amount of the credit to be inadequate for this purpose, the department shall increase the amount of the credit to an amount it determines to be adequate: PROVIDED, HOWEVER, That no single increase may be less than one dollar nor more than two dollars. The increase shall be adopted by means of rule making proceedings pursuant to chapter 34.04 RCW, and shall be effective for taxable years beginning on and after January 1st of the year succeeding the year in which the rule was adopted.

[(4) An amount constituting ten percent of property taxes paid on business inventories, as defined in RCW 82.04.437, held primarily for sale by a person exempt from business and occupation tax pursuant to RCW 82.04.330, and with respect to the sale of which RCW 82.04.330 is applicable, shall be allowed as a credit against taxes imposed by this chapter for the same taxable year in which said property taxes were paid.]

NEW SECTION. Sec. 20. Section 40, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.437 are each repealed.

NEW SECTION. Sec. 21. Sections 12-21 of this 1970 amendatory act shall be effective with respect to taxes otherwise payable in 1971 and subsequent years, but shall not affect taxes payable in 1970 or in years prior to 1970."

Debate ensued.

POINT OF ORDER

Senator Woodall: "My point of order is that this particular measure we are dealing with is a bill to authorize cities and counties to impose on the local level certain taxes. This proposed amendment attempts to go into new matters such as personal property taxes. I think it enlarges the scope and object of the bill."

Further debate ensued.

MOTIONS

On motion of Senator McCormack, the amendment proposed by Senator Lewis (Brian) was laid upon the table.

On motion of Senator McCormack, the committee amendment to the title was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 21, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINTS OF INQUIRY

Senator Stender: "Will Senator McCormack yield? Senator, in the event that a county commissioner or the county council in the case of King county, enacted this sales tax, then as I understand this measure the cities automatically are covered under this bill. Is that correct?"

Senator McCormack: "That is correct, yes."

Senator Stender: "In that event what is the distribution? How is the distribution formula set up?"

Senator McCormack: "Eighty-five percent of the money will go to the cities. Fifteen percent goes to counties."

Senator Stender: "On what basis though?"

Senator McCormack: "This is an arbitrary formula that was agreed to in the preparation of this bill."

Senator Stender: "I do not think you understand, Senator. The amount of money that is collected in the county is distributed by people or how?"

Senator McCormack: "No, it is on a population basis with eighty-five percent going to the cities and fifteen percent to the rural areas."

Senator Stender: "In other words it does not matter whether the revenue is generated within the boundaries of the city?"

Senator McCormack: "Senator Williams, would you like to speak to that?"

Senator Williams: "I think I can reply to that question. If the county levies a sales tax then it would collect it everywhere except for cities in that county that would elect to have a sales tax, which is probably too involved. In the event that the county had a sales tax and

the cities in the county had a sales tax, the counties would collect all the money in the county and fifteen percent of what is collected in each city. Each city then keeps the remaining eighty-five percent that is collected in each city."

Senator Stender: "I am trying to get to the amount of tax generated within the border of a city. Eighty-five percent of it would stay with that city. Is that correct?"

Senator Williams: "Yes, that is right."

Senator Stender: "In other words in the case of King county, the city of Tukwila with its tremendous shopping center, motels and hotels etc., the little city of Tukwila could do very well with this measure."

Senator Williams: "It probably would do quite well. You have all sorts of varying situations throughout the state and this is the reason why we had the mandate that there would be a tax collectible in every city of the county. Otherwise, you would have islands where there would be no tax collected."

Senator Stender: "Further in the case, take for instance Normandy Park that has one little supermarket and filling station. They would take a real beating with this bill, wouldn't they?"

Senator Williams: "We can debate the merits of the various towns. A town like Normandy Park, of course, has less commercial demand. If you want the question of a beating, I will give you an answer. I will say that an area like Normandy Park which does not have arterials, does not have police problems and so on does get its per capita share of liquor tax, the liquor profits, gas tax allocation and so on on a per capita basis so considering the smallness of its problems does very well in the other allocations. This particular area that does not have commercial centers will probably get less."

Senator Stender: "Presently they are getting a grant under our grant program?"

Senator Williams: "Yes."

Senator Stender: "One other question, Senator, you are continuing to debate with me. I am just asking you some questions."

Senator Williams: "I am just trying to answer your questions."

Senator Stender: "Senator, the voter counties and cities, do they lose their grants under this if this is passed and enacted?"

Senator Williams: "The ten million dollars, yes, that part will be gone but only that part. They will still get all of their liquor profits. They will get all of their gas tax profits."

Senator Stender: "I did not ask you about liquor. I am asking you. . . ."

Senator Williams: "You said their grants. They get a number of grants that still will be there, yes."

Senator Stender: "They do lose the grants they presently are getting?"

Senator Williams: "No, they do not. They keep the liquor profit grants. They keep the gas tax grants and other grants but they do not get the ten million dollars. There is a number of different grants."

Senator Stender: "Senator, I am talking about this bill not the liquor bill or any other bill. Do they lose the grants they are currently getting if this bill is enacted?"

Senator Williams: "If a border county does not enact a sales tax, then they will not get the ten million which they are not going to anyway."

Further debate ensued.

Senators Keefe, Talley and Greive demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 21, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Dore, Elicker, Faulk, Francis, Herr, Holman, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Ryder, Stortini, Twigg, Walgren, Williams, Woodall-29.

Voting nay: Senators Day, Donohue, Durkan, Foley, Gissberg, Greive, Guess, Henry, Huntley, Keefe, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Sandison, Stender, Talley, Washington, Wilson-20.

ENGROSSED HOUSE BILL NO. 21, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 6:55 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Tuesday, February 10, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 11, 1970.

The Senate was called to order at 10:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney and McCutcheon. On motion of Senator Henry, Senator McCutcheon was excused. On motion of Senator Day, Senator Cooney was excused.

The Color Guard, consisting of Pages Dean Gilley, Color Bearer, and Maria Ruano, presented the Colors. Reverend Maurice L. Haehlen, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God, Thou Eternal Father of us all—let not the beauty of this day—nor the glow of good health—or the apparent prosperity of these surroundings deceive us into a false reliance upon our own strength nor blind us to the emergency that now confronts our fellowmen. Deliver us from the error of asking and expecting Thy blessing on our private lives while we refuse to follow Thy guidance in our public decisions. Grant that the democratic processes may be seen best in this place in this crucial time of testing. As these men have gathered to discharge their duty to their country do Thou guide them and shed Thy light upon the path Thou wouldst have us tread together. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORT OF STANDING COMMITTEE

February 9, 1970.

SUBSTITUTE HOUSE BILL NO. 60, enabling cities of first class over 150,000 not situated in class AA counties to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Cooney, Day, Donohue, Faulk, Guess, Huntley, Lewis (Harry), Newschwander, Odegaard, Pritchard, Ryder, Stortini, Twigg, Walgren, Wilson, Woodall.

Referred to the Committee on Rules and Joint Rules for second reading.

MESSAGES FROM THE HOUSE

February 7, 1970.

Mr. President: The Speaker has signed:

SENATE BILL NO. 27,
SENATE BILL NO. 67,
SENATE BILL NO. 107,
SENATE BILL NO. 126,
SENATE BILL NO. 243,
SENATE BILL NO. 277,
SENATE CONCURRENT RESOLUTION NO. 6,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 9, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 5,
HOUSE BILL NO. 23,
HOUSE BILL NO. 103,
SUBSTITUTE HOUSE BILL NO. 129,
HOUSE BILL NO. 304,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 9, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 6,
HOUSE BILL NO. 72,
HOUSE BILL NO. 118,
HOUSE BILL NO. 140,
HOUSE BILL NO. 164,
HOUSE BILL NO. 237,
HOUSE BILL NO. 251,
HOUSE BILL NO. 295,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 9, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 253, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MESSAGES FROM THE HOUSE

February 9, 1970.

Mr. President: The Speaker has signed:

SENATE BILL NO. 15,
SUBSTITUTE SENATE BILL NO. 28,
SENATE BILL NO. 61,
SENATE BILL NO. 66,
SENATE BILL NO. 81,
SENATE BILL NO. 101,
SENATE BILL NO. 129,
SENATE BILL NO. 132,

SENATE BILL NO. 141,
 SENATE BILL NO. 145,
 SENATE BILL NO. 164,
 SENATE BILL NO. 179,
 SENATE BILL NO. 311,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 6, 1970.

Mr. President: The House has passed SENATE BILL NO. 130 with the following amendments:

On line 10, following "public" strike "agencies" and insert "[agencies] agency"

On line 17, after "and" strike "is hereby" and insert "may be"

On line 17, after "designated" insert "by the department of natural resources"

On line 23, after "is" and before "sold" insert "subsequently"

On line 23, after "or" strike "is" and insert "[is]"

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Talley, the Senate concurred in the House amendments to Senate Bill No. 130.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 130, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Durkan, Gissberg, Pritchard—3.

Excused: Senators Cooney, McCutcheon—2.

SENATE BILL NO. 130, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Talley: "I would like to speak on a point of personal privilege. It should be clearly understood that the House amendments to Senate Bill No. 130 are intended to allow the Department of Natural Resources to obtain a royalty for deposited material only if it is offered, or if private site owners are willing to bid for their share of the deposited materials. In other cases it is the clear intent of this act that the depositing of such material on private land when no public land site is available will be declared to be a public purpose, and no royalty charged.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 144, with the following amendments:

On page 1, line 2 of the title after "RCW 84.36.050;" insert the following: "amending section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010; adding new sections to chapter 15, Laws of 1961 and to chapter 84.48 RCW; and amending section 84.56.400, chapter 15, Laws of 1961, as last amended by section 2, chapter 93, Laws of 1965 and RCW 84.56.400;"

On page 2, after the period in line 11 insert the following sections:

"Sec. 2. Section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010 are each amended to read as follows:

Prior to July 1st, the county commissioners [, or a majority of them,] shall form a board for the equalization of the assessment of the property of the county [: PROVIDED, That in counties having a city or cities of the first or second class, the city council or other

governing body thereof shall select a committee of three members of such council or other governing body to act with the board of county commissioners as a board of equalization, as to all property in their respective cities: PROVIDED FURTHER, That in counties under township organization, the chairman of the township supervisors of the several townships, at a meeting called by the county auditor for that purpose, shall select a committee of three, one from each county commissioner's district, to sit with the county board of equalization as members of said county board of equalization as to all property outside the corporate limits of any city or town]. The members of said board [shall] may receive [five] twenty-five dollars per day for each day of actual attendance of the meeting of the board of equalization to be paid out of the current expense fund of the county: PROVIDED, That when the county commissioners constitute the board they shall not receive the per diem allowance. The board of equalization shall meet in open session for this purpose annually on the first Monday in July [at the office of the county assessor, who shall act as clerk of said board,] and, having each taken an oath fairly and impartially to perform their duties as members of such board, they shall examine and compare the returns of the assessment of the property of the county and proceed to equalize the same, so that each tract or lot of real property and each article or class of personal property shall be entered on the assessment list at its true and fair value, according to the measure of value used by the county assessor in such assessment year, and subject to the following rules:

First. They shall raise the valuation of each tract or lot or item of real property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, after at least five days' notice shall have been given in writing to the owner or agent.

Second. They shall reduce the valuation of each tract or lot or item which in their opinion is returned above its true and fair value to such price or sum as they believe to be the true and fair value thereof.

Third. They shall raise the valuation of each class of personal property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, and they shall raise the aggregate value of the personal property of each individual whenever they believe that such aggregate value is less than the true valuation of the taxable personal property possessed by such individual, to such sum or amount as they believe to be the true value thereof, after at least five days' notice shall have been given in writing to the owner or agent thereof.

Fourth. They shall, upon complaint in writing of any party aggrieved, reduce the valuation of each class of personal property enumerated on the detail and assessment list of the current year, which in their opinion is returned above its true and fair value, is such price or sum as they believe to be the true and fair value thereof; and, upon like complaint, they shall reduce the aggregate valuation of the personal property of such individual who, in their opinion, has been assessed at too large a sum, to such sum or amount as they believe was the true and fair value of his personal property.

Fifth. The board may review all claims for either real or personal property tax exemption, and shall consider any taxpayer appeals from the decision of the assessor thereon to determine (1) if the taxpayer is entitled to an exemption, and (2) if so, the amount thereof.

The [county assessor] clerk of the board shall keep an accurate journal or record of the proceedings and orders of said board in a book kept for that purpose, showing the facts and evidence upon which their action is based, and the said record shall be published the same as other proceedings of county commissioners, and shall make a true record of the changes of the descriptions and assessed values ordered by the county board of equalization. [Having corrected] The assessor shall correct the real and personal assessment rolls in accordance with the changes made by the said county board of equalization, and he shall make duplicate abstracts of such corrected values, one copy of which shall be retained in his office, and one copy forwarded to the state board of equalization on or before the [first] fifth day of August next following the meeting of the county board of equalization.

The county board of equalization shall meet on the first Monday in July and may continue in session and adjourn from time to time during a period not to exceed [two] four weeks, but shall remain in session not less than three days: PROVIDED, That, in addition to the several times fixed by statute, any county board of equalization may be reconvened for special or general purposes [at any time by order of], but not later than three years after the date of adjournment of its regularly convened session by order of the [state tax commission] department of revenue.

No taxes, except special taxes, shall be extended upon the tax rolls until the property valuations are equalized by the state board of equalization for the purpose of raising the state revenue.

Boards of county commissioners as such shall at no time have any authority to change the valuation of the property of any person or to release or commute in whole or in part the taxes due on the property of any person.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board of equalization of each county shall consist of not less than three nor more than seven members. Such members shall be appointed by a majority of the board of county commissioners or like other county governmental authority, and shall be selected for their knowledge of the values of property in the county and shall not be a holder of any elective office nor be an employee of any elected official: PROVIDED, HOWEVER, The county commissioners may themselves constitute the board at their discretion.

NEW SECTION. Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The members of each board of equalization shall meet and choose a chairman. A majority of the board shall constitute a quorum.

NEW SECTION. Sec. 5. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

All meetings of the board of equalization shall be held at the county courthouse, or other suitable place within the county, and the board of county commissioners shall make provision for a suitable meeting place.

NEW SECTION. Sec. 6. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The terms of each appointed member of the board shall be for three years or until their successors are appointed: PROVIDED, HOWEVER, Each appointed member may be removed by a majority vote of the county commissioners or other county legislative body.

NEW SECTION. Sec. 7. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board may appoint a clerk of the board and any assistants the board might need, all to serve at the pleasure of the members of the board, and the clerk or his assistant, shall attend all sessions thereof, and shall keep the record. Neither the assessor nor any of his staff may serve as clerk.

NEW SECTION. Sec. 8. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board may hire one or more appraisers certified as such by the Washington state department of personnel, society of real estate appraisers, American institute of real estate appraisers, or international association of assessing officers, and not otherwise employed by the county, and other necessary personnel for the purpose of aiding the board and carrying out its functions and duties. In addition, the boards of the various counties may make reciprocal arrangements for the exchange of the appraisers with other counties. Such appraisers need not be residents of the county.

NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The county commissioners may provide an adequate annual budget and funds for operation and needs of the board of equalization, including, but not limited to the costs and expenses of the board, such as the meeting place, the necessary equipment and facilities, materials, the salaries of the clerk of the board and his assistants, the expenses of the members of the board during the sessions, travel, in-service training, and payment of salaries of all such employees hired by the board, to facilitate its work.

NEW SECTION. Sec. 10. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The prosecuting attorney of each county shall serve as legal advisor to the board of equalization.

NEW SECTION. Sec. 11. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The department of revenue shall establish a school for the training of members of the several boards of equalization throughout the state. Sessions of such schools shall, so far as practicable, be held in each district of the county commissioners' association. Every member of the board of equalization of each county may attend such school within one year following appointment or reappointment.

NEW SECTION. Sec. 12. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The department of revenue shall provide a manual for the operation procedures of the several boards of equalization so that uniformity of assessment may be obtained throughout the state, and the several boards of equalization shall follow such manual in all of its operations and procedures.

Sec. 13. Section 84.56.400, chapter 15, Laws of 1961, as last amended by section 2, chapter 93, Laws of 1965 and RCW 84.56.400 are each amended to read as follows:

The county treasurer shall also make and file with the county board of equalization a record, setting forth the facts relating to such manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of property which do not involve a revaluation of property, such as the assessment of property exempted by law from taxation or the failure to deduct the exemption allowed by law to the head of a family, as shall come to his attention after the rolls have been turned over to him for collection. The said record shall also set forth by legal description all property belonging exclusively to the state, any county or any municipal corporation whose property is exempt from taxation, upon which there remains, according to the tax roll, any unpaid taxes.

The county board of equalization at its meeting in June shall consider such matters as appear in the record filed with it by the county treasurer, and shall only correct such matters as are set forth in such record, but it shall have no power to change or alter the assessment of any person, or change the aggregate value of the taxable property of the county, except insofar as it is necessary to correct the errors hereinbefore mentioned: PROVIDED, That the board shall cancel all unpaid taxes upon property which belongs exclusively to the state, any county or municipal corporation. The board shall make findings of the facts upon which it bases its decision on all matters submitted to it, and when so

made the assessment and levy shall have the same force as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the rolls as modified.

The board at its June meeting shall consider only matters referred to it by the records of the county treasurer or county assessor under this section and RCW 84.56.390.

The county assessor may cancel or correct assessments which are erroneous due to manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of the property which do not involve a revaluation of property. When the county assessor cancels or corrects an assessment, he shall send a notice to the taxpayer by registered mail advising the taxpayer that the action of the county assessor is not final, and shall be considered at the June meeting of the county board of equalization, and that such notice shall constitute legal notice of such fact, and a copy of the notice shall be sent to the county treasurer as his authority for correcting the current tax roll. When the county assessor cancels or corrects an assessment, he shall prepare and file a record of such action with the county board of equalization, setting forth therein the facts relating to such manifest error.

The county board of equalization at its meeting in June shall consider such matters as appear in the record filed with it by the county assessor and shall determine whether the action of the county assessor was justified, and shall make findings of facts upon which it bases its decision on all matters submitted to it. If the county board of equalization finds that the action of the assessor was not correct, it shall issue a supplementary roll including such corrections as are necessary, and the assessment and levy shall have the same force and effect as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the supplementary roll."

Renumber the remaining section consecutively,
and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator McCormack, the Senate concurred in the House amendments to Engrossed Senate Bill No. 144.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 144, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 3; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—42.

Voting nay: Senators Francis, Huntley—2.

Absent or not voting: Senators Andersen, Holman, Marquardt—3.

Excused: Senators Cooney, McCutcheon—2.

ENGROSSED SENATE BILL NO. 144, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 161 with the following amendments:

On page 3, section 6, line 18 after "receive" strike everything down to the period on line 20 and insert "twenty-five dollars per diem for each day or major portion thereof actually spent on official business, plus travel expenses as provided in RCW 43.03.060"

On page 12, add a new section following section 18 as follows:

"NEW SECTION. Sec. 19. All fees or revenue collected in accordance with the provisions of this act shall be deposited in the state general fund."

Renumber all remaining sections consecutively,
and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Day, the Senate concurred in the House amendments to Substitute Senate Bill No. 161.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 161, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—42.

Voting nay: Senator Mardesich—1.

Absent or not voting: Senators Bailey, Canfield, Marquardt, Pritchard, Ryder—5.

Excused: Senator McCutcheon—1.

SUBSTITUTE SENATE BILL NO. 161, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 6, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 266 with the following amendments:

On page 1, line 3 of the title after "RCW 7.33.080;" and before "amending section 19," on line 4 insert "amending section 13, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.130;"

On page 7 add a new section following section 10 as follows:

"Sec. 11. Section 13, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.130 are each amended to read as follows:

Service of the writ of garnishment is invalid unless there is served therewith (1) Four answer forms as provided in RCW 7.33.150 together with stamped envelopes addressed respectively to the clerk of the court issuing the writ, the attorney for the plaintiff (or to the plaintiff if he has no attorney), and the defendant; and (2) Cash, [a certified check] or a [cashier's] check made payable to the garnishee in the amount of ten dollars. The writ of garnishment may be served by the sheriff of the county in which the garnishee lives or it may be served by any citizen of the state of Washington over the age of twenty-one years and not a party to the action in which it is issued in the same manner as a summons in an action is served: PROVIDED, HOWEVER, That where the writ is directed to a bank, banking association, mutual savings bank or savings and loan association maintaining branch offices, as garnishee, the writ must be directed to and service thereof must be made by leaving a copy of the writ with the manager or any other officer or cashier or assistant cashier of such bank or association at the office or branch thereof at which the account evidencing such indebtedness of the defendant is carried or at the office or branch which has in its possession or under its control credits or other personal property belonging to the defendant. In every case where a writ of garnishment is served by an officer, such officer shall make his return thereon showing the time, place and manner of service and that the writ was accompanied by answer forms and addressed envelopes and cash or a check as required by this section, and noting thereon his fees for making such service and shall sign his name to such return. In case such service is made by any person other than an officer, such person shall attach to the original writ his affidavit showing his qualifications to make such service, and that the writ was accompanied by answer forms and addressed envelopes and cash deposit or a check as required by this section, and the time, place and manner of making service, and shall endorse thereon the legal fees therefor." and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Holman, the Senate concurred in the House amendments to Engrossed Senate Bill No. 266.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 266, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McDougall, Mardesich, Matson, Metcalf,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Voting nay: Senator Lewis (Harry)—1.

Absent or not voting: Senators Andersen, Canfield, Marquardt—3.

Excused: Senator McCutcheon—1.

ENGROSSED SENATE BILL NO. 266, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 9, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 80 with the following amendments:

On page 1, line 1 of the title following "government;" strike the remainder of the title and insert "creating in the Washington state patrol a drug control assistance unit; adding new sections to chapter 8, Laws of 1965 and to chapter 43.43 RCW; and making an appropriation."

Following the enacting clause on page 1, line 4, strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 2. The drug control assistance unit shall:

(1) Provide laboratory services for the purpose of analyzing drug and narcotic evidence and evidence relating to any crime when requested by any of the law enforcement agencies of the state; and

(2) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws.

NEW SECTION. Sec. 3. The chief of the Washington state patrol may employ such criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act are added to chapter 8, Laws of 1965 and to chapter 43.43 RCW.

NEW SECTION. Sec. 5. To carry out the provisions of this act there is appropriated to the Washington state patrol from the general fund for the biennium ending June 30, 1971, the sum of fifty thousand dollars, or so much thereof as shall be necessary," and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

Senator Lewis (Harry) moved that the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 80.

Senators Greive, Ridder and Lewis (Harry) demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator McCutcheon, who had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

Debate ensued.

POINT OF INQUIRY

Senator Gissberg: "Will Senator Walgren yield? Senator, as you know, I was concerned about that part of your bill when you rather quietly put an amendment on and inserted the words 'and other criminal activities' so that you were establishing a separate record unit not only for drug addiction and narcotic activity but also duplicating our system that we now have by providing for other criminal activities. That opened the door substantially. What is your view as to whether or not you will insist on having that amendment in any bill that could be worked out?"

Senator Walgren: "Senator Gissberg, as you know, I am very much concerned about having a state-wide record office and laboratory for all forms of criminal investigation. I am not interested particularly in having a duplication. If this is a duplication as you have pointed out, I would not be insisting upon that portion of the bill."

Senator Gissberg: "It is my understanding we now have within the state patrol a criminal identification department. Am I mistaken on that or some identification bureau where the records are kept?"

Senator Walgren: "No, I do not think that you are mistaken on that. I do not know how broad that is, Senator Gissberg."

Senator Gissberg: "I do not quite get your answer. How I vote on this is going to be dependent upon your response as to whether or not you are going to insist on keeping in the words 'other criminal activities' so that you have a system on top of a system."

Senator Walgren: "Senator Gissberg, as I indicated, if this is indeed a duplication, I would not insist upon that. I am not so much concerned about the record part of it but the laboratory end of this. We should have a state-wide laboratory that can assist local law enforcement officers in all forms of criminal evidence investigation."

Further debate ensued.

POINT OF INQUIRY

Senator Lewis (Brian): "Will Senator Lewis (Harry) yield? Senator, I have a couple of questions that I would like to ask you. This bill as we passed it sets up a recourse unit basically, it seems to me, relative to criminal activities. If you accept Senator Walgren's amendment, it would be for criminal activities related to drug activities when we get in the position where law enforcement agencies, if they apprehended somebody and were wondering whether or not he had some prior record of activities that they would have to check first with essential criminal files that the state patrol is maintaining. Then they would also have to go to this board of pharmacy file unit. In other words there would be two places you would have to go to find out if a fellow had a bad record?"

Senator Lewis (Harry): "Senator Lewis, I believe that under the House amendment that we would solve this by having the principal responsibility for a record system placed with the state patrol."

Senator Lewis (Brian): "All right, that is the other side of the coin. In other words by keeping it with the state patrol we would eliminate this duplication?"

Senator Lewis (Harry): "Yes, that is correct."

Senator Lewis (Brian): "All right, the other question that I would like to ask you is that the bill as we originally passed it putting this under the board of pharmacy, apparently it was indicated that the sum of three hundred thousand dollars or as much thereof as was necessary was the appropriation to set this up as a proper agency under a board of pharmacy."

"Now the House's version says if we put it under the state patrol, we can do it for fifty thousand dollars. Are they expecting to provide the same basic general information and analytical assistance, etc., for fifty thousand dollars through the state patrol as apparently were concluded to be necessary for three hundred thousand dollars under the board of pharmacy or is it the fact that by putting it into an existing police agency, we can effectuate two hundred fifty thousand dollars worth of administrative overhead in other savings? What is the reason for the big difference?"

Senator Lewis (Harry): "I think, Senator, you are partially correct. Number one, by putting it in a police oriented agency like the state patrol that there will be savings over putting this under the board of pharmacy. Secondly, I believe that in taking out the investigative portion of the bill, this has resulted in a requirement for less funding. I personally felt that this investigative portion should remain in but for those two reasons I believe the appropriation is smaller. The third reason is that I believe we all recognize the need to face this problem again in about a year so, therefore the funding has been cut down considerably."

Senator Lewis (Brian): "One final question if I may, Senator, do you know if in the amendment to the budget bill that was sponsored by Senator Durkan on last Saturday we had in that the sum of either three hundred thousand dollars for the board of pharmacy or fifty thousand dollars for the state patrol to cover this act?"

Senator Lewis (Harry): "Yes, I do know. I discussed this with Senator Durkan. We were considering all legislation that had passed with appropriations on it. At the time of our meeting in Ways and Means, because this legislation had not passed and because we were not soothsayers, we could not predict that it would pass. Therefore, it was not included in the budget as presented to the Senate and this would have to be considered by the Conference Committee."

Further debate ensued.

Senators Sandison, Knoblauch and Walgren demanded the previous question and the demand was sustained.

Senator Durkan demanded a roll call and the demand was sustained by Senators Walgren, Cooney, McCormack, Metcalf, Pritchard, Peterson (Ted), Stortini, Odegaard and Donohue.

ROLL CALL

The Secretary called the roll and the motion by Senator Lewis (Harry) to concur in the

House amendments to Engrossed Substitute Senate Bill No. 80 lost by the following vote: Yeas, 13; nays, 36.

Voting yea: Senators Andersen, Atwood, Gissberg, Huntley, Lewis (Brian), Lewis (Harry), Matson, Newschwander, Ryder, Stender, Talley, Williams, Woodall—13.

Voting nay: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stortini, Twigg, Walgren, Washington, Wilson—36.

The Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 80 and asks the House to recede therefrom.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

INTRODUCTION AND FIRST READING

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

Authorizing increases in tuition and incidental fees for institutions of higher education. Referred to Committee on Higher Education and Libraries.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 9, 1970.

Mr. President: The House refuses to concur in the Senate amendment to HOUSE BILL NO. 162 and asks the Senate to recede therefrom, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Gissberg, the Senate refused to recede from the Senate amendment to House Bill No. 162 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 162 and the Senate amendment thereto: Senators Gissberg, Knoblauch and Andersen.

On motion of Senator Gissberg, the Conference Committee appointments were confirmed.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 2,
 SENATE BILL NO. 40,
 SENATE BILL NO. 45,
 SENATE BILL NO. 49,
 SUBSTITUTE SENATE BILL NO. 55,
 SENATE BILL NO. 60,
 SENATE BILL NO. 85,
 SENATE BILL NO. 95,
 SUBSTITUTE SENATE BILL NO. 99,
 SENATE BILL NO. 105,
 SUBSTITUTE SENATE BILL NO. 226,

SUBSTITUTE SENATE BILL NO. 294,
 SENATE BILL NO. 324,
 HOUSE BILL NO. 5,
 HOUSE BILL NO. 6,
 HOUSE BILL NO. 23,
 HOUSE BILL NO. 72,
 HOUSE BILL NO. 103,
 HOUSE BILL NO. 118,
 SUBSTITUTE HOUSE BILL NO. 129,
 HOUSE BILL NO. 140,
 HOUSE BILL NO. 164,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 251,
 HOUSE BILL NO. 295,
 HOUSE BILL NO. 304.

The Senate resumed consideration of Senate Resolution 1970-EX-25 which had been held from February 9, 1970.

On motion of Senator Faulk, the following amendment was adopted:

On page 1, line 23, after "(the "4 C's")." insert: "The committee should take into account present studies being conducted concerning day care facilities, to eliminate any possible duplication of effort."

The resolution, as amended, was adopted.

SENATE RESOLUTION: 1970-EX-30

By Senators Newschwander, McCormack, Canfield, Mardesich, Atwood, Andersen and Foley:

WHEREAS, The costs of local government are increasing; and

WHEREAS, The services which local governments must provide are expanding; and

WHEREAS, Tax relief for elderly persons is of paramount importance to the people of this state; and

WHEREAS, Programs exempting or deferring taxes for the elderly will have an effect on the administrative costs of the local governmental units administering such programs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Budget Committee is authorized and requested to make a study of the costs to local governmental units of administering programs of tax exemptions or deferrals for the elderly.

BE IT FURTHER RESOLVED, That the results of the study be presented to the next regular session of the legislature for its consideration.

On motion of Senator McCormack, the resolution was adopted.

Senator Faulk moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-31

By Senators Faulk, Mardesich, Metcalf, Peterson (Ted), Pritchard and Gissberg:

WHEREAS, Puget Sound presents great opportunities for the development of shoreline recreation in the state of Washington; and

WHEREAS, The residents of this state have an urgent need for more recreational space, and the shoreline areas of Puget Sound are particularly suitable for recreational uses such as clam digging, swimming, picnicking, camping and other seashore fun; and

WHEREAS, Large concentrations of people are clustered within close proximity to Puget Sound and its recreational opportunities; and

WHEREAS, Public access to Puget Sound is rapidly diminishing due to heavy competition for shoreline lands; and

WHEREAS, Approximately sixty-two miles of shoreline bordering Puget Sound is unavailable for use by the public because it is currently used by the railroads; and

WHEREAS, This state's welfare would be best served by reserving this shoreline currently used by the railroads for public recreational purposes; and

WHEREAS, Relocation of the railroads is not only desirable but also may be practical; NOW, THEREFORE, BE IT RESOLVED, That the Interim Committee on Banking, Insurance, and Transportation or such advisory committee as it may appoint study the feasibility of relocating the railroads' right-of-way away from the shoreline of Puget Sound.

BE IT FURTHER RESOLVED, That the results of the study along with any recommendations and proposed legislation be presented to the next session of the legislature.

Debate ensued.

On motion of Senator Stortini, the resolution was laid upon the table.

The Senate resumed consideration of Senate Resolution 1970-EX-28 which had been held for February 9, 1970.

Debate ensued.

There being no objection, Senate Resolution 1970-EX-28 was withdrawn.

SENATE RESOLUTION: 1970-EX-32

By Senators Woodall, Twigg, Canfield, Henry, Matson, Gissberg, McDougall and Donohue:

WHEREAS, The House of Representatives has failed to pass Senate Joint Resolution No. 6 which would have referred to the people of the state the question as to whether the legislature could constitutionally allow certain types of charitable lottery activities; and

WHEREAS, Municipal government has, in the past, received substantial funds for operation of its general government from license fees levied on certain gambling activities now prohibited by state law; and

WHEREAS, The best legal advice available tells us that before this legislature can legally authorize any form of lottery activity such as bingo and raffles, the state Constitution must be amended;

NOW, THEREFORE, BE IT RESOLVED, That the Joint Interim Municipal Committee be requested to study this question, as to how this legislature might legally authorize certain lottery and gambling activities, and to investigate into their revenue producing capabilities of local government, and to report their findings and recommendations to the forty-second legislature.

On motion of Senator Henry, the resolution was adopted.

SECOND READING

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

Relating to open spaces.

REPORT OF STANDING COMMITTEE

February 6, 1970.

ENGROSSED HOUSE BILL NO. 26, relating to open spaces (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20, after "county" and before "or" insert "and zoned accordingly".

On page 3, section 3, line 3, after "assessor." and before "Said" insert "The application shall be accompanied by a reasonable processing fee if such processing fee is established by the city or county legislative authority."

On page 3, section 3, line 9, after "the" and before "calendar" insert "first four calendar months of the"

On page 3, section 3, line 10, after "PROVIDED," strike all of the matter down to and including "PROVIDED FURTHER," in line 11

On page 3, section 4, line 27, after "authority" and before "take" strike "shall" and insert "may"

On page 4, section 4, line 13, after "met" and before the period insert ", including but not limited to the granting of easements"

On page 4, section 4, line 13, if the foregoing amendment is adopted, before the period and after "easements" insert ": AND PROVIDED FURTHER, That the granting or denial of the application for current use assessment is a legislative determination and shall be reviewable only for arbitrary and capricious actions"

On page 4, section 5, line 17, after "application." strike all of the matter down to and including the period following "act" in line 19 and insert "No land shall be considered qualified under this act until an application in regard thereto has been approved by the appropriate legislative authority."

On page 5, section 6, line 4, after "property" and before "is" insert "and improvements"

On page 5, section 7, line 22, after "the" and before the period on line 23 strike "interagency committee for outdoor recreation" and insert "legislative body which originally approved the application"

On page 5, section 7, line 26, after "the" and before "shall" strike "assessors" and insert "county treasurer"

On page 5, section 7, line 27, after "the" and before "years" strike "five" and insert "seven"

On page 5, section 7, line 33, after "the" and before "shall" strike "assessors" and insert "county treasurer"

On page 6, section 7, line 5, after "act" and before the period, insert " PROVIDED, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the state in which event no penalty shall be imposed"

On page 6, section 8, line 10, after "domain," and before "the" insert "or except as a result of a sale to a public body"

On page 6, section 9, line 33, after "extended" and before "tax" on line 1, section 9 page 6a, strike "by the assessor on his" and insert "on the"

On page 7, line 31, beginning with "NEW SECTION." strike all of the matter down to and including the period after "committee" in line 7, section 22, page 10.

Renumber the remaining sections.

On page 1, beginning on line 1 of the title, after "property;" strike all the matter down through and including "thereof;" on line 3.

Signed by: Senators Anderson, Atwood, Bailey, Canfield, Connor, Donohue, Faulk, Foley, Gissberg, Guess, Lewis (Harry), McCormack, Marquardt, Odegaard, Peterson (Ted), Prichard, Ridder, Twigg, Williams.

The bill was read the second time by sections.

Senator McCormack moved adoption of the committee amendments.

POINT OF INQUIRY

Senator Elicker: "Will Senator McCormack yield? In the amendment to page 6, section 7, line 5 you say 'not abrogated by the state.' Then you say 'by the local legislative authority.' I understand the contract if the punitive contract is made between the county commissioners or the city council and now you have used the word 'state' which would imply that it is the state legislature."

Senator McCormack: "Yes, this was the concensus of the committee. I must say I did not completely concur in that particular position but the concensus of the committee was that the abrogation would come by way of an amendment to the law which would effect the abrogation of some agreement. If there is such an abrogation at the local level, we simply are going to have to work it out in the future according to the way the bill is now drafted. On page 6, section 8, line 10, after 'domain,' and before 'the' insert 'or except as a result of a sale to a public body'. This was to provide and this does provide to some extent for the reservation"

PERSONAL PRIVILEGE

Senator Washington: "I would like the opinion of the Chair and the body on a possible personal interest which I have in the passage of this bill. I am a trustee and part-owner of acreage immediately adjacent to the town of Coulee Dam adjacent to Grand Coulee which would undoubtedly come under the purview of this act. I have disclosed this interest to the committee on revenue and taxation and feel that it should be disclosed to the Senate for a ruling by the President."

POINT OF INFORMATION

Senator Mardesich: "What would happen under that circumstance if I were to call for a Call of the Senate at the moment?"

REPLY BY THE PRESIDENT

The President: "The President did not hear your remarks, Senator Mardesich."

POINT OF INFORMATION

Senator Mardesich: "Mr. President, if we were to accept this position and I were to ask for a Call of the Senate, what position would Senator Washington be in then? A ruling when requested must be made."

Senator Ryder: "Mr. President, the body of the Senate could excuse him if they so desired. However, this was just merely an expediency at this moment that on this bill which apparently has no great division of interest that he would be merely excused from voting. If there were a closer situation, this would be different, I am sure."

Senator Mardesich: "I would submit that the Constitution requires you to vote unless there is a ruling that you have a personal interest. As for the matter raised here, I would suggest also that Senator Washington has a personal interest only insofar as he is a citizen of

this state because the law applies equally to all people holding property in this state and has no specific application to him. It would only be if it indicated specific application that the point could be raised."

Senator Gissberg: "I think it would be most unfortunate if it were determined here that senators who owned any land that could otherwise be construed to come under the terms of this act could not vote on it. Number one, the act as it is presently drafted requires the local authority to make the decision as to whether or not the land is going to be placed in open space category so that we are not making that judgment. We are allowing the local authority to make that judgment. I do not know. This bothers me. If that is the case, I am not going to be able to vote on this. I have some land above my house at the lake that is probably open space and I am sure that everybody else here has the same problem.

"At least I know of quite a few of the fellows that have that problem and I would certainly suggest that you may not get a majority of the members on this floor who are going to be able to vote on this bill if you have that kind of a ruling."

POINT OF ORDER

Senator McCormack: "Mr. President, I believe this debate or this discussion applies to the bill and not to the amendment. I believe that we should vote on the amendment and then when we get on final passage discuss the vote on final passage."

Senator Washington: "They apply to the amendments with equal ruling as on the bill itself."

Senator Ryder: "Senator Dore and I were not trying to make a decision as to whether or not this was an ethical problem so far as Senator Washington was concerned or whether or not he should vote on it. We were merely advising that if he has something at this moment, perhaps he should walk off the floor rather than vote. If the Senate wants to keep him here, this is not within our purview as the board of ethics."

RULING BY THE PRESIDENT

The President: "The President should like to read from Rule 3 of the Senate rules: 'No senator shall be allowed to vote except when within the bar of the senate or upon any question upon which he is in any way personally or directly interested.' The Constitution states '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.'

"The President is not in any position, Senator Washington, to rule whether or not you have a personal interest in this particular measure. Therefore, the only person that can so rule is Senator Nat Washington."

Senator Washington: "In view, I think, of the very peculiar circumstances of the particular property I am concerned with which is immediately adjacent to a town and will in all probability be included under it, I decline to vote."

Senator Mardesich: "I am going to ask Senator Washington to be more explicit because if he is being excused on the basis that he owns a piece of land which may fall under this law if it is adopted, then I am going to take the position that every member so situated must be likewise excused or plainly has a personal interest."

Senator Dore: "A lot of fuss is being made over nothing. The only thing I suggest to Senator Washington, in effect by voting on the way he put his question, we would be giving an opinion to a very complicated situation. Therefore, Senator Ryder and I request of him that as long as the bill, as I understand, is not in any heavy trouble, he would just absent himself.

"The thing is we do not give any opinions unless they are requested but I think under our procedure the body by voting should not be giving opinions. That is the only thing to it but as President Cherberg has said, it is up to each individual member to determine whether his interest is so specific and personal to him to be in violation of our rule not of our board of ethics but our rule of interest.

"In this particular case in my opinion, and I just give it unofficially as a member of the Senate and not as a member of the board, if the interest is general, in other words you are not asking for any particular type of favor just for yourself or your family but in general for all citizens of the state, I frankly do not see any problem at all. In other words, any conflict of interest.

"I have property, four acres, that would probably come under this too. If my property was the only property affected, of course, I would have a special interest and I could not vote but I think my interest is general with every other taxpayer and property owner of this state. I do not see any reason why all of us under the situation cannot vote. The only thing that Senator Ryder was suggesting is that we not ask the body for opinions when we have a board of ethics set up to give formal opinions that can be carefully written, worked out, and presented. That is the only thing I had in mind so I think you and I misunderstood each other earlier."

Senator Woodall: "I agree with the remark that this is much ado about nothing. School teachers vote to raise the pension bills, don't they? Every member has voted to raise our own pension bills. People here all vote on general subjects. School teachers serve on the

conference committees and they are going to get a direct pay raise as a result of the amount of money that they get in the appropriation bill.

"If you want to start carrying this thing to extremes, I do not know who could serve on anything. Senator Huntley could not be on the agricultural committee because he is a farmer and so on and so forth on down the line. I think it is well put that this particular measure does not put anybody's land under anything. It merely provides a local machinery and you are going to have to petition locally if you do want to come under it. It is much ado about nothing and it seems to me it is just ridiculous here to start talking that when the interest is so broad and so general any more than you would pass a law that increases the compensation for attorneys in a criminal case, then no lawyer could vote on it because he might on one occasion be appointed. He hopes he would not be but he might get appointed to take one of them. This is ridiculous."

The motion by Senator McCormack carried and the committee amendments were adopted.

POINT OF ORDER

Senator Mardesich: "I would raise the point of order as to Rule 46 as amended requiring that the calendar be on our desks on the day preceding consideration."

Senator McCormack: "This bill was on our desks yesterday, Mr. President."

Senator Greive: "If I remember correctly, the rule provides that the Committee on Rules and Joint Rules can designate any particular calendars in emergency. I raised this point yesterday and the Committee on Rules and Joint Rules so voted that this was an emergency calendar. We are going to have the problem though from now on and we may as well clarify it that this would mean we would never be able to have any calendars within the last closing days. This is one of the things that was discussed in the beginning. I am all for having it in advance but we did designate this particular calendar as an emergency because we did come back and pass one of the bills on it yesterday. I think that from here on in, all of the calendars will be designated emergencies."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Mardesich finds that the remarks made by Senator Greive are well taken."

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 26, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINTS OF INQUIRY

Senator Bailey: "Will Senator McCormack yield? Senator, you did not hit on the possible fiscal impact this may have on county funding. What will this do to the county general fund?"

Senator McCormack: "Senator Bailey, it is really impossible to determine what impact this bill will have. We have a fiscal note that was written on the House bill as it came over to us that said in the coming five years the bill would have an impact of about twenty-eight million dollars, most of which would be on the counties. It would be almost all of it on the counties. However, the bill is somewhat more strictly construed in the Senate amendment. Among other things it provides that the local legislative authority within each county or city has the right of absolute refusal, so to speak, or has the right of absolute authority to determine whether a piece of land will be considered open space land and will be taxed on current use space. For this reason any county, any board of county commissioners or any city can determine exactly how much land will fall under the open space bill.

"Under these conditions it is impossible for us now to predict what the impact will be but it will be a local option. If any board of county commissioners goes overboard in granting tax base on current use, they are the ones that are going to suffer the lower revenue."

MOTION

On motion of Senator Huntley, the following remarks by Senator Bailey were ordered placed in the Senate Journal:

Senator Bailey: "Mr. President, members of the Senate, I am going to support this measure through the back door, I guess. I think that what Senator McCormack has said is up to the local county commissioners to decide whether or not they come under this.

"What I submit to you is the fact that if they excuse very many people off of the rolls

it is not going to be the counties that suffer, it is going to be the school districts in the county, it is going to be every district in the county that suffers when these people come off the rolls. This is part of your forty mills. I do not know how we are going to equalize, for instance, in school budgets the possibility of one county takes advantage of this and another county does not. In other words, one county may lower the taxes on all of these people then expect equalization funds. Another county may keep them up and get less equalization funds for paying more tax. This is going to raise quite a question in my mind but it is going to raise the issue of whether local government really is as great as the county commissioners would have us believe it could be. Can they resist these pressures and can they do the job if we give them the power here to do it?

"I think that we are going to come back here in two years and really look at this thing. Maybe in one year I think we are liable to have the biggest financial mess we ever got into in our life but the people of the state under House Joint Resolution No. 1 voted for open spaces. I think we owe it to them to put it into effect and try to make it work. I have great doubts that we are not doing something that is going to cost every school district in the state one heck of a lot of money."

POINT OF INQUIRY

Senator Henry: "Will Senator McCormack yield? Senator, the great apprehension in some of the areas I represent, particularly in northern Clark county, they talk about open spaces and the things of that nature. What they are particularly interested in is taxation for use where somebody that has been on a little dairy ranch all of their lives and their parents' lives before them and so forth and then to have somebody come out and say 'Well you have a nice level piece of ground here. This would be a nice spot for a factory; therefore, you now are being assessed at a commercial value.' Does this bill give them any relief in that respect?"

Senator McCormack: "Senator Henry, this bill will give them relief if their property can be zoned as legitimate open space property, timberland, or agricultural property which should be used as it has been in the past and taxed on its current use but only if so ordered by the county board of commissioners. It is obviously not going to apply in every case. It is a matter then of determination by the local government."

Senator Henry: "Then further under the Senate amendment, we will say as a typical example that a man had a ten or twenty acre dairy ranch. He was classified for what purpose it is now being used. Then within seven years or at the end of seven years, they decided to subdivide it. Then the taxes are rolled back or the assessed valuation for a seven-year period under the Senate amendment. Is that correct?"

Senator McCormack: "Yes, that is correct. They could come out after ten years. He has to give three years' notice in any event. The shortest period of time in which they could come out would be ten years and coming out from current use into the highest and best value would provide a seven-year rollback with interest on his taxes. I should impress upon you that this is really the difference between the tax that he has been paying for current use and the tax that he would have paid for highest and best use."

Further debate ensued.

Senators Keefe, Atwood and Talley demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 26, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Sandison, Stender, Talley, Twigg, Walgren, Williams, Wilson, Woodall—40.

Voting nay: Senators Dore, McCutcheon, Mardesich, Newschwander—4.

Absent or not voting: Senators Durkan, Ridder, Ryder, Stortini, Washington—5.

ENGROSSED HOUSE BILL NO. 26, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:15 p.m., on motion of Senator Greive, the Senate recessed until 2:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:45 p.m.

At 2:50 p.m., the President declared the Senate to be at ease subject to the call of the Chair.

The President called the Senate to order at 3:10 p.m.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE HOUSE BILL NO. 169 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Amen, Benitz and Jolly.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 10, 1970.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 169, providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters, have had the same under consideration, and we recommend that the House concur in the Senate amendments.

Signed by: Senators Wilson, Donohue and Woodall; Representatives Amen, Benitz, and Jolly.

POINT OF INQUIRY

Senator Washington: "Will Senator Wilson yield? I am wondering how these cows are going to be worth viewing if they are not going to be able to have that luscious hay from the Columbia Basin?"

Senator Wilson: "Senator Washington, I really believe that you have contributed enough to the development of this bill. I think we have had plenty of it."

Senator Washington: "I am naming it the 'Anti-Hay Bill'."

MOTION

On motion of Senator Talley, there being no objections, the remarks by Senator Wilson were ordered placed in the Senate Journal.

MOTION

On motion of Senator Wilson, the report of the Conference Committee on Substitute House Bill No. 169 was adopted.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 13 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Flanagan, Hubbard and Haussler.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 10, 1970.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high

schools and nonhigh districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by: Senators Wilson, Ridder and Huntley; Representatives Flanagan, Haussler and Hubbard.

MOTION

On motion of Senator Bailey, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 139 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Substitute Senate Bill No. 139 and the House amendments thereto: Representatives Newhouse, Zimmerman and Moon.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Bailey, the request of the House for a conference on Engrossed Substitute Senate Bill No. 139 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 139 and the House amendments thereto: Senators Peterson (Lowell), Lewis (Harry) and Keefe.

On motion of Senator Bailey, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendment to ENGROSSED SENATE BILL NO. 317 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 317 and the House amendment thereto: Representatives Backstrom, Wolf and Pardini.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Henry, the request of the House for a conference on Engrossed Senate Bill No. 317 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 317 and the House amendments thereto: Senators Dore, Ryder and Gissberg.

On motion of Senator Bailey, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendment to ENGROSSED SENATE BILL NO. 318 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 318 and the House amendment thereto: Representatives Backstrom, Wolf and Pardini.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Henry, the request of the House for a conference on Engrossed Senate Bill No. 318 and the House amendment thereto was granted.

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APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 318 and the House amendment thereto: Senators Dore, Ryder and Gissberg.

On motion of Senator Henry, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 133 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Substitute Senate Bill No. 133 and the House amendments thereto: Representatives Clarke (George W.), O'Dell and Sawyer.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Bailey, the request of the House for a conference on Engrossed Substitute Senate Bill No. 133 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 133 and the House amendments thereto: Senators Mardesich, Gissberg and Ryder.

On motion of Senator Bailey, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 1 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 1 and the House amendments thereto: Representatives Flanagan, Julin and Gallagher.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Henry, the request of the House for a conference on Engrossed Senate Bill No. 1 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 1 and the House amendments thereto: Senators Durkan, Elicker and Gissberg.

On motion of Senator Henry, the Conference Committee appointments were confirmed.

MESSAGES FROM THE HOUSE

February 10, 1970.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 201 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Leland, Beck and Berentson.

DONALD R. WILSON, Assistant Chief Clerk.

February 10, 1970.

Mr. President: The House has receded from its amendments to SENATE BILL NO. 191 and has passed the bill without the House amendments.

MALCOLM McBEATH, Chief Clerk.

MOTIONS

At 3:30 p.m., on motion of Senator Bailey, the Senate recessed until 4:50 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 4:50 p.m.

MOTION

At 4:55 p.m., on motion of Senator Durkan, the Senate recessed until 5:25 p.m.

THIRD AFTERNOON SESSION

The President called the Senate to order at 5:25 p.m.

Senators Atwood, Bailey and Metcalf demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTION

On motion of Senator Greive, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 10, 1970.

SENATE BILL NO. 123, relating to revenue and taxation (reported by Committee on Ways and Means):

MAJORITY reports that Substitute Senate Bill No. 123 be substituted for Senate Bill No. 123 without recommendation.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Day, Donohue, Dore, Foley, Francis, Gissberg, McCormack, Mardesich, Odegaard, Peterson (Ted), Ridder, Ryder, Sandison, Stortini, Twigg, Washington, Williams.

MOTIONS

On motion of Senator Greive, the rules were suspended, Senate Bill No. 123 was advanced to second reading.

On motion of Senator Durkan, Substitute Senate Bill No. 123 was substituted for Senate Bill No. 123 and the substitute bill was read the second time in full.

On motion of Senator Canfield, the following amendment by Senators Canfield, Wilson, Donohue, Washington, McCormack and Odegaard was adopted:

On page 4, section 3, line 10, after "United States," insert "This chapter shall not apply to production credit associations organized under the Farm Credit Act of 1933."

Senator Metcalf moved adoption of the following amendment:

On page 7, section 7, line 24, strike all matter after "agencies" on line 24.

Debate ensued.

Senator Durkan moved the amendment by Senator Metcalf be laid upon the table.

Senator Metcalf demanded a roll call and the demand was sustained by Senators Lewis (Harry), Ryder, Canfield, Pritchard, Faulk, McCutcheon, Connor, Holman, Newschwander and McDougall.

ROLL CALL

The Secretary called the roll and the amendment by Senator Metcalf was laid upon the table by the following vote: Yeas, 26; nays, 23.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Francis, Gissberg, Greive, Henry, Herr, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Ryder, Sandison, Stortini, Walgren, Wilson—26.

Voting nay: Senators Andersen, Atwood, Elicker, Faulk, Guess, Holman, Huntley, Lewis (Brian), Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Stender, Talley, Twigg, Washington, Williams, Woodall—23.

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute Senate Bill No. 123 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 123, and the bill passed the Senate by the following vote: Yeas, 27; nays, 22.

Voting yea: Senators Atwood, Bailey, Canfield, Donohue, Durkan, Elicker, Foley, Francis, Greive, Henry, Holman, Huntley, Knoblauch, Lewis (Harry), McCormack, McCutcheon, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Washington, Williams, Wilson—27.

Voting nay: Senators Andersen, Connor, Cooney, Day, Dore, Faulk, Gissberg, Guess, Herr, Keefe, Lewis (Brian), McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Stender, Talley, Twigg, Walgren, Woodall—22.

ENGROSSED SUBSTITUTE SENATE BILL NO. 123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:50 p.m., on motion of Senator Greive, the Senate was declared to be at ease. The President called the Senate to order at 6:05 p.m.

SECOND READING

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

Appropriating funds for maintenance and operation of state highways.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 142 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 142, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—49.

HOUSE BILL NO. 142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 13, by Senators McCormack and Washington:

Exempting payment of the one percent real estate excise tax for persons incorporating their own property.

REPORT OF STANDING COMMITTEE

January 23, 1970.

SENATE BILL NO. 13, exempting payment of the one percent real estate excise tax for persons incorporating their own property (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 19, after "is" and before "by" strike "controlled" and insert "wholly owned"

Signed by: Senators Bailey, Canfield, Donohue, Faulk, Foley, McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Walgren, Washington, Williams, Wilson.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendment was not adopted.

On motion of Senator McCormack, the following amendments were adopted:

On page 1, section 1, line 19, after "heritance," strike all the matter starting with "a transfer" down to and including "children," on line 20

On page 2, section 1, after line 25; insert a new paragraph as follows:

"The term sale shall not include a transfer to a corporation which is wholly owned by the transferor, his spouse or his children. PROVIDED, That if such transferee corporation or such transferor, his spouse, or his children voluntarily transfer the property or the stock, as the case may be, within five years of the exchange, excise taxes shall become due and payable on the original transfer as otherwise provided by law."

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 13 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 13, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-46.

Voting nay: Senators Atwood, Guess, Metcalf-3.

ENGROSSED SENATE 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.

SUBSTITUTE HOUSE BILL NO. 180, by Committee on Revenue and Taxation:

Reducing property tax millage limitations by one-half.

REPORT OF STANDING COMMITTEE

February 6, 1970.

SUBSTITUTE HOUSE BILL NO. 180, reducing property tax millage limitations by one-half (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 8, after line 15, add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.52 RCW a new section to read as follows:

A rural library district may impose, notwithstanding the millage limitations provided for in sections 5 and 7 of this act, a regular property tax levy in an amount equal to that which would be produced by a levy of two mills multiplied by an assessed valuation equal to twenty-five percent of the true and fair value of the taxable property in the rural library district, as determined by the department of revenue's indicated county ratio. For purposes of this section 'regular property tax levy' shall mean a levy subject to the forty mill limitation provided for in Article VII, section 2 of the state Constitution."

Renumber the remaining sections consecutively.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Day, Faulk, Foley, Gissberg, Lewis (Harry), McCormack, Mardesich, Marquardt, Metcalf, Odegaard, Ridder, Ryder, Twigg, Walgren, Washington, Wilson.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendment was adopted.

Senator Ridder moved adoption of the following amendment by Senators Ridder and Durkan:

Strike the Senate Committee Amendment to Substitute House Bill No. 180 and insert the following:

On page 8, after line 15, add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.52 RCW a new section to read as follows:

A school district or a rural library district may impose, notwithstanding the millage limitations provided for in sections 5 and 7 of this act, a regular property tax levy in an amount equal to that which would be produced by a levy of fourteen mills (in the case of a school district) or two mills (in the case of a rural library district) multiplied by an assessed valuation equal to twenty-five percent of the true and fair value of the taxable property in the school district or rural library district, as determined by the department of revenue's indicated county ratio. For purposes of this section 'regular property tax levy' shall mean a levy subject to the forty mill limitation provided for in Article VII, section 2 of the state Constitution."

Renumber the remaining sections consecutively.

POINTS OF INQUIRY

Senator Stender: "Will Senator Ridder yield? Senator, this House Bill No. 180 is just a new version of the lid bill. This no doubt would not even become operative unless the tax reform fails next fall. What purpose is this amendment going to serve then?"

Senator Ridder: "As I understand, this becomes operative even though we do not get tax revision. This would cut the schools back then to half millage or seven which in this case now under the freeze law we are capable of going up in these counties as shown by dollar value up to as high in Adams county to ten mills. If we were cut to seven, we would be . . ."

Senator Stender: "Isn't the purpose of House Bill No. 180 just to leave things status quo by just halving the millage? Isn't that the purpose of this bill?"

Senator Ridder: "Yes, it would do this. Under the freeze law we are allowed to go up to present dollar values which gives us a chance to bring in that extra funding. In a sense this has an effect of cutting your revenues in 1971."

Senator Stender: "This does not repeal the present lid bill?"

Senator Ridder: "Yes, it does. It takes over the present freeze bill which is on dollar value."

Debate ensued.

Senator Washington: "Will Senator Ridder yield? Senator, it is my understanding that the two mill shift would stay on until the end of 1970. It will be on and then in 1971 we would have the opportunity of meeting this issue at that time after we have had the vote on tax reform because if the tax reform comes in and you have a one percent ceiling this would not be possible anyhow."

Senator Ridder: "The two mill shift has been a saving grace with the school districts. Of course, when you take that two mill shift away, it is going to create quite a problem."

Senator Washington: "But if tax reform passes, they are going to lose the two mill shift anyhow."

Senator Ridder: "Well I am hoping that tax reform does pass. Then this becomes a moot question."

Senator Washington: "But we can cover this point in the 1971 session."

Senator Ridder: "I would feel much safer and I think the school districts in this state would feel much safer if you provided for that right now."

Further debate ensued.

Senator Peterson (Lowell): "Will Senator Ridder yield? Senator, in reviewing your amendment and looking at the indicated ratio that has been placed upon our desks, it would indicate to me that this is a definite increase in property tax should this be adopted. Am I correct in my assumption?"

Senator Ridder: "No, I think it is merely doing exactly what is being done now.

Actually you are not taking anything away. You are just not allowing us to maintain what is being done. This is the problem. We look forward to tomorrow. We want to be able to depend upon a certain rate that we now go along with and by taking this away, we do not look forward to anything but a real thin 1971."

Senator Peterson (Lowell): "Senator, I appreciate your statement but I do not think you answered my question. As I read the amendment and as I read the indicated ratio, I would interpret it to mean that it is going to be practically an automatic increase in property taxes in many of these areas."

Senator Ridder: "I would suspect the way you put it this might be but under the freeze bill you get to raise up to dollar value. You should be able to at least guarantee that dollar value into the coming year. This is the problem. This may mean under the present indicated ratio that there might be a raise in some of these districts. I doubt this."

MOTION

On motion of Senator Atwood, the rules were suspended and Senator Williams was excused.

Senator Greive demanded a roll call on the proposed amendment by Senators Ridder and Durkan and the demand was sustained by Senators McCormack, Odegaard, Stortini, Lewis (Brian), Ridder, McDougall, Matson, Donohue and Dore.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas 18; nays, 30; excused, 1.

Voting yea: Senators Bailey, Connor, Durkan, Foley, Greive, Henry, Herr, Holman, Knoblauch, McCormack, Mardesich, Marquardt, Odegaard, Peterson (Ted), Ridder, Sandison, Stortini, Talley—18.

Voting nay: Senators Andersen, Atwood, Canfield, Cooney, Day, Donohue, Dore, Elicker, Faulk, Francis, Gissberg, Guess, Huntley, Keefe, Lewis (Brian), Lewis (Harry), McCutcheon, McDougall, Matson, Metcalf, Newschwander, Peterson (Lowell), Pritchard, Ryder, Stender, Twigg, Walgren, Washington, Wilson, Woodall—30.

Excused: Senator Williams—1.

On motion of Senator McCormack, the rules were suspended, Substitute House Bill No. 180, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 180, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—47.

Voting nay: Senator McCutcheon—1.

Excused: Senator Williams—1.

SUBSTITUTE HOUSE BILL NO. 180, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 60, by Committee on Revenue and Taxation:

Enabling cities of first class over 150,000 not situated in class AA counties to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes.

The bill was read the second time by sections.

On motion of Senator Guess, the rules were suspended, Substitute House Bill No. 60 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator McCormack: "Will Senator Twigg yield? Senator, what is the fiscal impact of this bill?"

Senator Twigg: "Ninety-six thousand dollars a year."

Senator McCormack: "For what city?"

Senator Twigg: "For Spokane county."

Senator McCormack: "For Spokane and so it would be roughly a hundred thousand dollars for Spokane and a hundred thousand dollars for Tacoma?"

Senator Twigg: "I would guess that they are approximately the same. I am not sure if Tacoma actually comes under this. It provides for cities in excess of a hundred fifty thousand population and I understand they are not quite there."

Senator McCormack: "Assuming that they are very close?"

Senator Twigg: "If they are, I would guess the impact would be essentially the same."

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 60, and the bill passed the Senate by the following vote: Yeas, 37; nays, 11; excused, 1.

Voting yea: Senators Andersen, Atwood, Connor, Cooney, Day, Donohue, Durkan, Elicker, Faulk, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Harry), McCutcheon, McDougall, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Wilson, Woodall—37.

Voting nay: Senators Bailey, Canfield, Dore, Foley, Francis, Gissberg, Lewis (Brian), McCormack, Mardesich, Ridder, Talley—11.

Excused: Senator Williams—1.

SUBSTITUTE HOUSE BILL NO. 60, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:00 p.m., on motion of Senator Greive, the Senate was declared to be at ease until 7:30 p.m.

The President called the Senate to order at 7:30 p.m.

MOTION

On motion of Senator Huntley, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 10, 1970.

Mr. President: The Speaker has signed:

SENATE BILL NO. 2,

SENATE BILL NO. 40,

SENATE BILL NO. 45,

SENATE BILL NO. 49,

SUBSTITUTE SENATE BILL NO. 55,

SENATE BILL NO. 60,

SENATE BILL NO. 85,

SENATE BILL NO. 95,

SUBSTITUTE SENATE BILL NO. 99,

SENATE BILL NO. 105,

SUBSTITUTE SENATE BILL NO. 226,
 SUBSTITUTE SENATE BILL NO. 294,
 SENATE BILL NO. 324,
 and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1970.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 169 and has passed the bill with the Senate amendments. MALCOLM McBEATH, Chief Clerk.

February 10, 1970.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 326 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 10, 1970.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 51, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
 SUBSTITUTE HOUSE BILL NO. 51.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 80 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Substitute Senate Bill No. 80 and the House amendments thereto: Representatives Swayze, North and Rosellini.

MALCOLM McBEATH, Chief Clerk.

On motion of Senator Bailey, the request of the House for a conference on Engrossed Substitute Senate Bill No. 80 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 80 and the House amendments thereto: Senators Walgren, Woodall and Day.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 5, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 146 with the following amendments:

On page 18, section 10, line 3 after "tees" and before "may" insert "*If found reasonably necessary and advisable, such boards of regents or trustees*"

On page 80, section 66, line 17, after "board" and before "semiannually" insert "*payable*"

On page 96, lines 26 and 27, after "*commissioners*" strike "*as shall be determined by the commissioner of the district*"

On page 111, section 95, line 7, after "*such*" and before "*rate*" strike "*a*"

On page 120, line 31 add one new section following section 107 as follows:

"*NEW SECTION. Sec. 108. All bonds, the issuance of which was authorized or ratified at a general or special election held within the issuing jurisdiction prior to the effective date of this amendatory act or the proposition for the issuance of which will be submitted at such an election pursuant to action of the legislative authority of the issuer taken prior to the effective date of this amendatory act, may be sold and issued with an interest rate or rates greater than any interest rate restriction contained in the ballot proposition or ordinance or resolution relating to such authorization or ratification.*"

Renumber the remaining sections consecutively.

On page 121, section 108, line 3, after "through" and before "of" strike "32" and insert "33".

and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTIONS

On motion of Senator Greive, the Senate insists on its position on Engrossed Substitute Senate Bill No. 146 and again asks the House to recede from its amendments thereto.

On motion of Senator Greive, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 10, 1970.

ENGROSSED HOUSE BILL NO. 253, authorizing increases in tuition and incidental fees for institutions of higher education (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: That it be referred to Committee on Ways and Means.

Signed by: Senators Sandison, Chairman; Donohue, Francis, Holman, Huntley, Lewis (Harry), Williams, Wilson.

MOTION

On motion of Senator Greive, Engrossed House Bill No. 253 was referred to the Committee on Ways and Means.

MESSAGE FROM THE HOUSE

February 9, 1970.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 33 and asks the Senate to recede therefrom, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

Senator Greive moved that the Senate do adhere to its position on Engrossed Substitute House Bill No. 33 and request the House to concur in the Senate amendments.

POINT OF INQUIRY

Senator Ryder: "Will Senator Greive yield? Senator, if the House should vote to adhere to their position, what would happen to this bill?"

Senator Greive: "If the House votes to adhere to its position, the bill dies. On the other hand if you will read Reed's Rule 253, there is an opening in the event they decide they want further conferences."

Senator Ryder: "If the House should send the bill back to the Senate and ask for a conference, would your side of the aisle support that request?"

Senator Greive: "I imagine that is something we are going to have to discuss. I think our present opinion is we would not but these things in these halls have changed before. I would not want to give it with any finality. I think that our feeling generally at that point is that we have done our job and it is up to the House to accept it. To take any other position would be to invite them merely to send it back to us."

Senator Ryder: "Then really if the House votes to adhere, the bill is dead and we start over? If they send it back and ask for a conference and we refuse, then the bill is dead and we start all over again. Is that correct?"

Senator Greive: "No, that is not a fair statement of what I said. I said that our position now is that we want to take the strongest possible position and I think that we speak for a vast majority of the legislators in both Houses. We realize that there are some people for one reason or another who feel very strongly on this and are fighting it tooth and nail. To say that if we are placed in that position we would stand on this position, I think it would be an unfair statement at this time. I think the fairer position is to say that at that time we would have to have both caucuses, confer with your side of the aisle and our side of the aisle and take the next step."

The motion carried.

MOTION

On motion of Senator Greive, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 9, 1970.

ENGROSSED HOUSE BILL NO. 9, authorizing compensation for veterans of the Viet Nam conflict (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 6, after "by" and before "presidential" insert "duly adopted concurrent resolution of the state legislature, or by"

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Connor, Cooney, Day, Donohue, Foley, Gissberg, Huntley, McCormack, Mardesich, Metcalf, Odegaard, Ridder, Stortini, Walgren, Washington, Wilson.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 9 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, the committee amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 9, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 9, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson, Woodall—40.

Voting nay: Senators Andersen, Atwood, Faulk, Lewis, (Brian), Lewis (Harry), Newschwander, Ryder, Twigg—8.

Excused: Senator Williams—1.

ENGROSSED HOUSE BILL NO. 9, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 10, 1970.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 26 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 10, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 13 and has granted said committee the powers of Free Conference.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 10, 1970.

Mr. Speaker:
Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts, have had the same under consideration, and we recommend that the attached bill be substituted therefor, and that the substitute bill do pass.

An Act relating to education; amending section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200; suspending a proviso; declaring an emergency; making certain effective dates; and providing for the expiration of a section hereof.

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

NEW SECTION. Section 1. That portion of the proviso contained in chapter 282, Laws of 1969 ex. sess. (pages 2718, 2719, Pamphlet Edition, Statute Law Committee, Volume 8) dealing with the reimbursement factor for school districts of certain descriptions reading as follows:

"For school districts judged remote and necessary by the state board of education and enrolling fewer than 250 students in grades 9-12 and for nonhigh districts judged remote and necessary by the state board of education and for schools by the state board of education within a district and which enroll fewer than 100 students:" is hereby suspended.

NEW SECTION. Sec. 2. During the current fiscal period ending June 30, 1971 the reimbursement factor applicable to school districts enrolling fewer than 250 students in grades 9-12 and for nonhigh districts which are judged remote and necessary by the state board of education and which enroll fewer than 100 students shall be in accordance with the weighting factor submitted by the superintendent of public instruction to the 40th legislature.

Sec. 3. Section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200 are each amended to read as follows:

In case any school district shall have an average daily attendance of fewer than [five] *two* pupils or shall not have maintained, during the last preceding school year at least the minimum terms of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

Sec. 4. Section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200 are each amended to read as follows:

In case any school district shall have an average enrollment of fewer than [five] *two* pupils or shall not have maintained, during the preceding school year at least the minimum term of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

NEW SECTION. Sec. 5. Notwithstanding any other provision of this 1970 amendatory act, section 3 of this 1970 amendatory act shall only be effective until chapter 223, Laws of 1969 ex. sess. becomes effective, at which time section 3 hereof shall be void and of no effect and section 4 hereof shall become effective.

NEW SECTION. Sec. 6. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 7. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Signed by: Senators Ridder and Huntley; Representatives Flanagan, Haussler and Hubbard.

Senator Wilson moved that the report of the Free Conference Committee on Engrossed House Bill No. 13 be adopted.

POINTS OF INQUIRY

Senator Bailey: "Will Senator Wilson yield? Senator, is it your intent and the intent of

the Conference Committee then that by passage of this bill for the next year that we go back to the same method of finance or weighted formula that we had prior to the report of the Conference Committee of the 1969 session?"

Senator Wilson: "That is precisely the intent of the Conference Committee, Senator Bailey. The intent of this legislation is to restore the situation with respect to the effect of the small high school factor and the state apportionment formula on the small high schools to the state it enjoyed previous to the 1969 session of the legislature."

Senator Bailey: "Senator Wilson, another question; then it is the intent of this bill that whether or not it is the attorney general's opinion that it be unconstitutional that the legislature intends that these high schools not be weighted again insofar as the state board of education is concerned?"

Senator Wilson: "That is precisely the intent."

Senator Ridder: "Will Senator Wilson yield? Senator, it is also with the intent that during the interim until the next session we will study through the special levy study commission the situation of the small and remote districts and the small and remote plant and there will be some recommendations brought forth then for the next legislature concerning this problem?"

Senator Wilson: "I do not know, Senator Ridder, that that intent is included in this particular bill. I am sure what you described is going on by virtue of the special levy study commission investigation."

The motion carried and the report of the Free Conference Committee was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 13 as amended by the Free Conference Committee and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odgaard, Peterson (Lowell), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Woodall—42.

Voting nay: Senators Francis, Newschwander, Peterson (Ted), Wilson—4.

Absent or not voting: Senators Durkan, Gissberg—2.

Excused: Senator Williams—1.

ENGROSSED HOUSE BILL NO. 13, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 8, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 8, by Representatives Copeland and Charette:

Relates to extension of legislative session.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 8 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 8 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

MOTION

At 8:20 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, February 11, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 11, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney and Stender. On motion of Senator Talley, Senator Cooney was excused. On motion of Senator Atwood, Senator Stender was excused.

The Color Guard, consisting of Pages Bruce Woods, Color Bearer, and Stephanie Kuntz presented the Colors. Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Almighty and Eternal God, We thank Thee that we can begin this day in the confidence that Thy goodness is renewed to us each morning and that Thy providential care is with us throughout each day. Inspire our wills to do Thy will and enlarge our purpose to include Thy purpose. As we yield our lives humbly to Thy counsel and guidance, grant us the joy of achievement in the efforts of this day. Through Christ our Lord, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

February 10, 1969.

DON ELDRIDGE, to the position of Member of the Liquor Control Board, appointed by the Governor on March 12, 1970 for the term ending January 15, 1979, succeeding Mr. Garland Sponburgh (reported by the Committee on Liquor Control):

Recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Andersen, Connor, Henry, Herr, Holman, Knoblauch, Twigg, Woodall.

Passed to Committee on Rules and Joint Rules.

February 11, 1970.

ROBERT I. TENNEY, to the position of Member of the Tax Board of Appeals, appointed by the Governor on July 24, 1969 for the term ending March 1, 1973, succeeding Dr. Donald Webster (reported by the Committee on Ways and Means):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Faulk, Foley, Guess, Huntley, Lewis (Harry), Marquardt, Metcalf, Newschwander, Pritchard, Ryder, Sandison, Twigg, Williams.

Passed to Committee on Rules and Joint Rules.

LETTER OF INFORMATION

February 11, 1970.

HONORABLE JOHN CHERBERG,
PRESIDENT OF THE SENATE,
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98501.

MR. PRESIDENT:

The Committee on Revenue and Taxation has referred the following bill to the full Committee on Ways and Means with a DO PASS recommendation:

ENGROSSED HOUSE BILL 273: Real estate brokers, B & O tax.

Sincerely,

MIKE McCORMACK, Chairman
Committee on Revenue and Taxation.

Senator Ryder moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-35

By Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Williams and Wilson:

WHEREAS, Death, however inevitable or anticipated, is nevertheless a shock when it comes to a loved one; and

WHEREAS, The life death has ended has been long and well lived, cherished memories are many; and

WHEREAS, The character infused in the living is a monument to the fallen; and

WHEREAS, The Senate, grappling with governmental crises, nevertheless desires to note its sympathy for the living;

NOW, THEREFORE, BE IT RESOLVED, By the Senate in legislative session assembled that as taps is sounded for Perry M. Woodall, and the Woodall torch is passed to Senator Perry B. Woodall, the Senate pauses in its deliberations, to salute the new standard bearer of the Woodall family and remark that the finest tribute to the father is the sure and certain knowledge that the son carries on in the Woodall tradition with pride, vigor and nobility; and

BE IT FURTHER RESOLVED, That a copy of this resolution suitably embossed be presented to Senator Perry B. Woodall.

PERSONAL PRIVILEGES

Senator Ryder: "I know how close Perry's father was to him and I am sure that we all have heard on many occasions the stories that Perry has told about his father and how proud he was of him and of his achievements over the years. Having had a similar loss within the last year, I can appreciate the feelings of Perry even though he knew it was coming and that it was close, it is always a great shock to lose such a close member of your family. I am sure all of the members of the Senate will join with me in expressing our heartfelt sympathy to Perry and our hopefulness that he will carry on as the resolution says 'the standard of the Woodall family.'"

Senator Greive: "I speak for myself and more important, I am sure, for the majority. I think that no one has more affection for Senator Woodall even when he may rain sparks upon our heads than I have. He is not only a valued and a trusted member, somebody that we deeply respect, but we would want him to know that in this moment of grief which comes to a person so seldom in their life, that he has our hearts, our minds, our good wishes and our prayers at this time."

Senator Canfield: "I first became acquainted with Mr. Woodall some forty years ago and I have known his son, Perry, since Perry was a boy. His father was always the highest type of citizen and a fine example of vigor and enthusiasm. I met him in the Wapato Park at a harvest festival and at the age of ninety he turned handsprings in the park. At ninety-two he told me he could still turn them but he didn't feel quite like doing it that day. He was a grand man, gentlemen of the Senate, a fine friend and I salute his memory."

Senator McCutcheon: "I never had the opportunity or pleasure of meeting Mr. Woodall but I heard about his energy, his good common sense and what a splendid citizen he always was and he imparted a lot of that to Perry. We all love Perry here, we would miss him terribly. His father is gone and there is shock and our hearts all go out to Perry that he sustain this, and he will because he has that kind of nerve and that kind of courage and that kind of common sense that makes a very fine American citizen, splendid legislator and I think he must have inherited it from that grand old man, his father—and his mother also."

The motion by Senator Ryder carried and the resolution was unanimously adopted.

PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, it seems especially appropriate and fitting that present in the north gallery is a group of students and their teachers from Zillah High School of Zillah, Washington. These fine young students are from the area represented by the Honorable Damon Canfield and the Honorable Perry B. Woodall.

"The members of the Senate and the President are very happy that you are here today to view firsthand the respect and esteem and affection that the members and the President and all of the people associated with the legislature have for Senator Woodall and Senator Canfield."

SENATE RESOLUTION: 1970-EX-33

By Senator Pritchard:

WHEREAS, The state of Washington unequivocally favors condominium development on national forest lands in order for existing and future recreational complexes to become more economically viable by providing all facilities necessary to serve the broad public interest; and

WHEREAS, The United States Forest Service of the Department of Agriculture has taken exception to this issue, and in its efforts to evaluate, within its current policy structure, condominium development on their lands, has issued a preliminary report on the "Performance of Condominiums for Public Accommodations on National Forest Ski Areas"; and

WHEREAS, The state of Washington feels that the questions to which the study was directed were lacking in scope and so preconditioned the study results that any subsequent acceptance or further action by the Forest Service, resulting in a policy statement, would strongly indicate a totally negative response to the condominium development question; and

WHEREAS, The probability of such a negative policy interpretation, supported by a mere perfunctory contract report on performance without due consideration of additional germane elements, would preempt for all time the potential for condominium development on forest service lands in the state of Washington and elsewhere, thus creating a situation contrary to the desires of the state and establishing an inexpedient precedent for future similar issues; and

WHEREAS, This question is of grave concern to the state of Washington since a significant portion of the lands within the state, including most of the major existing and potential ski areas, are under the direct control of the fire service; and

WHEREAS, The policy interpretation and administration of these lands is a critical and intricate procedure in which the state has no voice regardless of the positive or negative impacts on the state resulting from said administration;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that we do hereby request the Secretary of Agriculture, to take action or direct that action be taken through the Chief of the United States Forest Service, to immediately and more thoroughly review and evaluate all conditions, questions and policies relating to condominium development on forest service lands and that this be accomplished with the direct involvement of all agencies on various government levels who can objectively and collectively determine whether or not this is in fact within the broad public interest, and that this be further accomplished prior to any final disposition of the forest service preliminary or subsequent report or policy statement; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the Honorable Clifford M. Hardin, Secretary of Agriculture of the United States, as well as to each member of Congress from the state of Washington, and to the governors of each of the fifty states so that they, too, may take whatever action they deem appropriate either individually through legislative process, or governors' conference resolutions.

On motion of Senator Pritchard, the resolution was adopted.

Senator Washington moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-34

By Senators Washington, Bailey, Elicker, Holman, Day and Greive:

WHEREAS, The continuing migration of power from the fifty states to the federal government poses a threat to the states, but it poses an even greater threat to the federal government itself, because the added duties, burdens and functions continually heaped upon it can only result in a progressively more cumbersome federal bureaucracy which must inescapably grow more inefficient and less responsive to the needs of the people; and

WHEREAS, Unless state government can be strengthened in all fifty states, and made more capable of handling complex problems which face our nation, there seems to be little hope of slowing down the movement of power from the states to the federal government; and

WHEREAS, Many of the complex problems once handled by the individual states can no longer be properly handled on a piecemeal, each state for itself, basis; and

WHEREAS, A workable means of coordinating the actions of the state legislatures on a voluntary basis must be instituted if the fifty states wish to act together collectively to solve multi-state problems and work with the federal government to meet national problems; and

WHEREAS, There is no truly effective means now in existence for the voluntary coordination of the efforts of the fifty state legislatures and the seven thousand eight hundred individual state legislators; and

WHEREAS, There is a strong likelihood that a national legislative assembly consisting

of legislative leaders from the fifty states, having recommendatory and advisory powers only, which would remain in session for at least thirty days could provide a forum for developing the unity which is needed if the states are to become an effective force in meeting the many problems which can no longer be met by the individual state acting alone, and could provide a forum for developing the unity necessary to give the fifty state legislatures an effective voice in Congress and in the executive branch of the national administration;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate does hereby recommend that each of the fifty state legislatures send representatives to a meeting to be held in 1970 or 1971 at a time and place to be determined by a committee composed of the President of the National Conference of State Legislative Leaders, the President of the National Legislative Conference, and the Chairman of the Governing Board of the Council of State Governments, for the purpose of exploring the possibility of establishing and convening a national legislative assembly consisting of representatives of the fifty state legislatures having recommendatory and advisory powers only, and which would remain in session for sufficient time to give consideration to the many problems facing the states and the nation which could best be met with coordinated multi-state action rather than by individual action of the separate states, and to consider ways and means of strengthening state government; and

BE IT FURTHER RESOLVED, That in the event the presidents of the National Conference of State Legislative Leaders, the National Legislative Conference and the Governing Board of the Council of State Governments shall not have, prior to October 1, 1970, set a time and place for such meeting, that a time and place be set and invitation thereto be sent to the fifty state legislatures by the Joint Committee on Governmental Cooperation; and

BE IT FURTHER RESOLVED, That the Joint Committee on Governmental Cooperation shall cooperate with representatives of the legislatures of other states in exploring the possibility of convening such a national legislative assembly.

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Will Senator Washington yield? Senator, reading this resolution, you directed that the Joint Committee on Governmental Cooperation send an invitation to all the fifty state legislatures for a meeting some time here in the state of Washington?"

Senator Washington: "Not necessarily in the state of Washington."

Senator Atwood: "What is the invitation? What is your intent on that?"

Senator Washington: "It would be that they would get together and determine whether any other state feels the need for such a meeting to determine the ground rules for calling such an assembly. If other states are not interested, very possibly the invitation might not be accepted.

"I might point out that there is a historical precedent going back to the original Continental Congress which was an advisory body only. It was started by an invitation from one state to other states to get together to discuss their mutual problems. Some states accepted the invitation and some did not. They got together and decided on a method of approach. If this idea falls on barren ground, it will go nowhere. If it happens to fall on fertile ground, it perhaps will move ahead."

Further debate ensued.

The motion carried and the resolution was adopted.

Senator Peterson (Ted) moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-36

By Senator Peterson (Ted):

WHEREAS, The employees of the Senate are of paramount importance to the legislature; and

WHEREAS, Many Senate employees work in the offices on the fourth floor of the legislative building; and

WHEREAS, At the present time such employees are not kept abreast of the legislative activities because of a lack of communication between the floor and those offices; and

WHEREAS, It would benefit both the employees and elected members of this body to have such employees informed of legislative activities; and

WHEREAS, Senate employees inform legislators when the sessions open and roll call begins; and

WHEREAS, Senate employees must answer phone calls and correspondence during the absence of the Senators;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Department of General Administration is authorized and requested to install a minimum of three speakers in the fourth floor Senate office wing to broadcast the activities of the Senate when it is in session.

BE IT FURTHER RESOLVED, That the installation be completed before the next regularly scheduled session of the Legislature.

On motion of Senator Sandison, the following amendment was adopted:

On page 1, line 15, after "By the Senate," in the last paragraph of the resolution, strike all the matter down to and including "Legislature." on line 20 and insert: "it is requested that this problem be considered by the Senate Facilities and Operations Committee when they are considering structural alterations to Senate facilities."

The motion carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Greive, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 10, 1970.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 162 and the Senate amendment thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Clarke (George W.), Swayze and Adams.

MALCOLM McBEATH, Chief Clerk.

February 10, 1970.

Mr. President: The House has concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 180 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 10, 1970.

Mr. President: The Speaker has signed:
SUBSTITUTE HOUSE BILL NO. 169,
HOUSE BILL NO. 326,

and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 10, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 206 with the following amendments:

On page 1, line 8 of the title after "28B.50.320;" strike the remainder of the title and insert "amending section 31, chapter 8, Laws of 1967 ex. sess. as amended by section 11, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.310; amending section 29, chapter 261, Laws of 1969 ex. sess. and RCW 28B.15.520; adding new sections to chapters 28, 85 and 28B.15 RCW; declaring an emergency; and providing for effective dates and the expiration of certain sections hereof."

On page 6 of the engrossed bill, following section 4, add new sections as follows:

"Sec. 5. Section 31, chapter 8, Laws of 1967 ex. sess. as amended by section 11, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.310 are each amended to read as follows:

The board of trustees of each community college district shall charge to and collect from each of the students registered therein such general tuition, incidental fees and other fees for quarters other than summer session as follows:

(1) Resident students:

- (a) general tuition fees, fifty dollars per quarter; and
- (b) incidental fees not more than twenty dollars per quarter.

(2) Nonresident students:

- (a) general tuition fees, one hundred fifty dollars per quarter; and
- (b) incidental fees, not more than twenty dollars per quarter.

(3) Tuition and incidental fees consistent with the above schedules will be fixed by the state board for community colleges for summer school students.

(4) The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

Notwithstanding any other provision of this chapter or chapter 28B.15 RCW as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for *needy* students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate.

The term "resident students" as used in this section shall mean students who have been domiciled in this state at least one year prior to the commencement of the quarter for which

he registers, federal employees and military personnel, the children and spouses of federal employees and military personnel residing within the state, and staff members of the community college and their children and spouses. The term "nonresident students" shall mean all students other than resident students.

The term "general tuition fees" as used in this section shall mean the general tuition fee charged students registered at the community college for quarters other than summer session, which fees shall be used as prescribed in RCW 28.85.320, 28.85.360 and 28.85.370. The term "incidental fees" as used in this section shall include the fees other than general tuition fees, charged all students registering at the college for quarters other than summer sessions but shall not include fees for correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, laboratory, gymnasium, health fees, or fee charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the colleges heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon or such other special fees as may be established by the board of trustees from time to time.

NEW SECTION. Sec. 6. There is added to chapter 28.85 RCW a new section to read as follows:

For the purpose of RCW 28.85.310, "needy student" shall mean a student who demonstrates to the board of trustees the financial inability, either through his parents, family and/or personally, to meet the total cost of general tuition fees, incidental fees, and any other fees or any portion of such total for any quarter or semester.

NEW SECTION. Sec. 7. There is added to chapter 28.85 RCW a new section to read as follows:

The state board for community college education shall establish the criteria for the determination of financial need which shall be the basis for the determination by a board of trustees or their designee that a particular applicant is a "needy student". In establishing the criteria the state board shall consider the following:

- (1) (a) Assets and income of the student; and/or
- (b) Assets and income of the parents, or other individuals legally responsible for the care and maintenance of the student;
- (2) The cost of attending the community college the student is enrolled in;
- (3) (a) The cost of requirements for the student and the dependent members of his family; and/or
- (b) The cost of requirements for the parents, or other individuals legally responsible for the care and maintenance of the student.

The total of the general tuition fees, incidental fees, and any other fees waived for any quarter or semester shall not exceed the sum of subsections (2) and (3) less subsection (1).

Sec. 8. Section 29, chapter 261, Laws of 1969 ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for *needy* students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate.

NEW SECTION. Sec. 9. There is added to chapter 28B.15 RCW a new section to read as follows:

For the purpose of RCW 28B.15.520, "needy student" shall mean a student who demonstrates to the board of trustees the financial inability, either through his parents, family and/or personally, to meet the total cost of general tuition fees, incidental fees, and any other fees or any portion of such total for any quarter or semester.

NEW SECTION. Sec. 10. There is added to chapter 28B.15 RCW a new section to read as follows:

The state board for community college education shall establish the criteria for the determination of financial need which shall be the basis for the determination by a board of trustees or their designee that a particular applicant is a "needy student". In establishing the criteria the state board shall consider the following:

- (1) (a) Assets and income of the student; and/or
- (b) Assets and income of the parents, or other individuals legally responsible for the care and maintenance of the student;
- (2) The cost of attending the community college the student is enrolled in;
- (3) (a) The cost of requirements for the student and the dependent members of his family; and/or
- (b) The cost of requirements for the parents, or other individuals legally responsible for the care and maintenance of the student.

The total of the general tuition fees, incidental fees, and any other fees waived for any quarter or semester shall not exceed the sum of subsections (2) and (3) less subsection (1).

NEW SECTION. Sec. 11. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining sections consecutively.

On page 7, section 6, line 5 of the printed bill, after "1" strike "and 3" and insert "3, 5, 6 and 7"

On page 7, section 6, line 7 of the printed bill, after "1" strike "and 3" and insert "3, 5, 6 and 7"

On page 7, section 6, line 8 of the printed bill, after "2" strike "and 4" and insert "4, 8, 9 and 10", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

On motion of Senator Sandison, the Senate concurred in the House amendments to Engrossed Senate Bill No. 206.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 206, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—43.

Absent or not voting: Senators Dore, Gissberg, Huntley, McCutcheon—4.

Excused: Senators Cooney, Stender—2.

ENGROSSED SENATE BILL NO. 206, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 261 with the following amendment:

On page 1 after section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. The department of public assistance is hereby directed to allocate the sum of three hundred thousand dollars or as much thereof as is necessary from the general fund appropriation as provided for in Substitute House Bill No. 33 (Chapter —, Laws of 1970), to be employed to pay medical costs of indigent prisoners of county and city jails or juvenile facilities in accordance with eligibility standards to be developed by the department."

Renumber the remaining sections consecutively, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Woodall, the Senate concurred in the House amendments to Engrossed Senate Bill No. 261.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 261, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 5; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Day, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—42.

Absent or not voting: Senators Bailey, Dore, Gissberg, Guess, Huntley—5.

Excused: Senators Cooney, Stender—2.

ENGROSSED SENATE BILL NO. 261, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to concur in the Senate amendments to HOUSE BILL NO. 158 and asks the Senate to recede therefrom, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

On motion of Senator Greive, the Senate refused to recede from the Senate amendments to House Bill No. 158 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 158 and the Senate amendments thereto: Senators Connor, Williams and Greive.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGES FROM THE HOUSE

February 11, 1970.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 9 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 13 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The House has receded from its amendment to page 120, line 31, and adheres to its position to amendments on page 18, section 10, line 3; page 80, section 66, line 17; page 96, lines 26 and 27; page 111, section 95, line 7 and page 121, section 108, line 3 to ENGROSSED SUBSTITUTE SENATE BILL NO. 146, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senator Greive moved that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 146.

Debate ensued.

POINT OF INQUIRY

Senator Lewis (Brian): "Will Senator Mardesich yield? Senator, in your explanation, does that mean that the House committee amendment which inserted a new section 108, is that now in the bill or out?"

Senator Mardesich: "It is out now."

Senator Lewis (Brian): "Thank you."

The motion carried. The Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 146.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 146, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Absent or not voting: Senator Andersen-1.

Excused: Senator Stender-1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 146, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Atwood: "Mr. President and gentlemen of the Senate, I have a message from the office of the Governor of Oregon. I would like to read this to you. Oregon has a nineteen million dollar potential deficit in their public assistance program resulting from case load and medical cost increases partially resulting from court decisions. To solve this problem, Governor McCall has today announced he will increase liquor prices by thirty cents a fifth and fifteen cents a pint on March 1. This will raise about \$4.6 million. They will also request an allocation of \$3.1 million from the emergency board. In an attempt to avoid an emergency legislative session, Governor McCall will request concurrence of their legislative fiscal committee for expenditures in excess of their appropriations committing the 1971 session to additional appropriations. Thank you."

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senator Lewis (Harry) moved that the reappointment of Baker Ferguson to the position of member of the Washington State Highway Commission be now confirmed.

PERSONAL PRIVILEGE

Senator Huntley: "Mr. President and members of the Senate, this is rather repetitious because just at the last session of the legislature, April 9, 1969, in fact, the Senate without a dissenting vote confirmed Mr. Ferguson to the Highway Commission. This is a reappointment. Just one remark, I do think that Mr. Ferguson has brought a rounded balance to the Highway Commission in that he does recognize the aesthetic values and problems that we do have in highways in the urban areas. I think that he deserves your confirmation."

The motion carried.

REAPPOINTMENT OF BAKER FERGUSON

The Secretary called the roll. The reappointment was confirmed by the Senate by the following vote: Yeas, 41; absent or not voting, 7; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Sandison, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—41.

Absent or not voting: Senators Durkan, Keefe, Matson, Metcalf, Peterson (Ted), Pritchard, Talley—7.

Excused: Senator Stender—1.

Senator Lewis (Harry) moved that the appointment of Donald Sullivan to the position of Member of the Board of Prison Terms and Paroles be now confirmed.

The motion carried.

APPOINTMENT OF DONALD SULLIVAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 41; absent or not voting, 7; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—41.

Absent or not voting: Senators Durkan, Elicker, Francis, Matson, Peterson (Ted), Pritchard, Sandison—7.

Excused: Senator Stender—1.

Senator Newschwander moved that the appointment of Jack Berry to the position of Member of the Board of Prison Terms and Paroles be now confirmed.

The motion carried.

APPOINTMENT OF JACK BERRY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Sandison, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Durkan, Peterson (Ted), Pritchard, Talley—4.

Excused: Senator Stender—1.

Senator Lewis (Harry) moved that the appointment of Helen Ratcliff to the position of Member of the Board of Prison Terms and Paroles be now confirmed.

The motion carried.

APPOINTMENT OF HELEN RATCLIFF

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—43.

Absent or not voting: Senators Durkan, Francis, Peterson (Ted), Pritchard, Williams—5.

Excused: Senator Stender—1.

MOTION

On motion of Senator Atwood, Senator Metcalf was excused.

Senator Lewis (Harry) moved that the appointment of William C. Jacobs to the position of Director of the Department of Labor and Industries be now confirmed.

The motion carried.

APPOINTMENT OF WILLIAM C. JACOBS

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Lewis (Harry) moved that the appointment of Jess Domaskin to the position of Member of the Parks and Recreation Commission be now confirmed.

The motion carried.

APPOINTMENT OF JEFF DOMASKIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Trueman Schmidt to the position of Trustee of The Evergreen State College be now confirmed.

The motion carried.

APPOINTMENT OF TRUEMAN SCHMIDT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Halvor Halvorson to the position of Trustee of The Evergreen State College be now confirmed.

The motion carried.

APPOINTMENT OF HALVOR HALVORSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Glen R. Norman to the position of Member of the Higher Education Personnel Board be now confirmed.

The motion carried.

APPOINTMENT OF GLEN R. NORMAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Frank Cleary to the position of Member of the Higher Education Personnel Board be now confirmed.

The motion carried.

APPOINTMENT OF FRANK CLEARY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of E. Robert Fristoe to the position of Member of the Higher Education Personnel Board be now confirmed.

The motion carried.

APPOINTMENT OF E. ROBERT FRISTOE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Dr. William Hooper to the position of Member of the Board of Trustees, Central Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF DR. WILLIAM HOOPER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Dr. W. Eugene Brain to the position of Trustee of Central Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF DR. W. EUGENE BRAIN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry,

Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Merle Haffner to the position of Trustee of Eastern Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF MERLE HAFFNER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Barbara R. Nelson to the position of Trustee of Eastern Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF BARBARA R. NELSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Mrs. Fred Butterworth to the position of Trustee of Western Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF MRS. FRED BUTTERWORTH

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Millard B. Hodges to the position of Trustee of Western Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF MILLARD B. HODGES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Excused: Senators Metcalf, Stender-2.

Senator Sandison moved that the appointment of Patrick C. Comfort to the position of Trustee of Western Washington State College be now confirmed.

The motion carried.

APPOINTMENT OF PATRICK C. COMFORT

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Excused: Senators Metcalf, Stender-2.

Senator Lewis (Harry) moved that the appointment of John C. Long to the position of Member of the Aeronautics Commission be now confirmed.

The motion carried.

APPOINTMENT OF JOHN C. LONG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Excused: Senators Metcalf, Stender-2.

Senator Lewis (Harry) moved that the appointment of George W. Corley to the position of Member of the Aeronautics Commission be now confirmed.

The motion carried.

APPOINTMENT OF GEORGE W. CORLEY

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Excused: Senators Metcalf, Stender-2.

Senator Lewis (Harry) moved that the appointment of Emmett Watson to the position of Member of the Aeronautics Commission be now confirmed.

The motion carried.

APPOINTMENT OF EMMETT WATSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Goodwin Chase to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF GOODWIN CHASE

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of John Mosier to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF JOHN MOSIER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Harry Prior to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF HARRY PRIOR

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack,

McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Leon Bridges to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF LEON BRIDGES

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Mrs. David Gaiser to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF MRS. DAVID GAISER

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Richard P. Wollenberg to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF RICHARD P. WOLLENBERG

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Reverend Mineo Katagiri to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF REVEREND MINEO KATAGIRI

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of Marion E. Wilson to the position of Member of the Council on Higher Education be now confirmed.

APPOINTMENT OF MARION E. WILSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

Senator Sandison moved that the appointment of J. Scott Barron to the position of Member of the Council on Higher Education be now confirmed.

The motion carried.

APPOINTMENT OF J. SCOTT BARRON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 130,

SENATE BILL NO. 144,

SUBSTITUTE SENATE BILL NO. 161,

SENATE BILL NO. 191,

SENATE BILL NO. 266,

SUBSTITUTE HOUSE BILL NO. 169,

HOUSE BILL NO. 326.

MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 3:00 p.m.

MOTIONS

On motion of Senator Lewis (Harry), Senator Guess was excused.
 On motion of Senator Greive, each member was allowed ten rolls of stamps.
 Senators Greive, Sandison and Ryder demanded a Call of the Senate.
 A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.
 The Secretary called the roll on the Call of the Senate, all members being present except Senators Guess, Metcalf and Stender who had previously been excused.
 On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTION

At 3:10 p.m., the President declared the Senate to be at ease.
 The President called the Senate to order at 4:05 p.m.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 162, relating to civil disturbance and providing penalties, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by: Senators Andersen, Gissberg and Knoblauch; Representatives Clarke (George W.), Swayze and Adams.

On motion of Senator Gissberg, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 11, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

SENATE BILL NO. 18: Providing minor students with capacity to borrow.

SENATE BILL NO. 288: Clarifying the position covered by the definition of faculty appointment as applies to community colleges.

Sincerely,
 JOHN SHERWOOD
 Legislative Counsel.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.
 At 5:45 p.m., on motion of Senator Greive, the Senate recessed until 8:30 p.m.

EVENING SESSION

The President called the Senate to order at 8:30 p.m.

REPORTS OF STANDING COMMITTEE

February 10, 1970.

ENGROSSED HOUSE BILL NO. 253, authorizing increases in tuition and incidental fees for institutions of higher education (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Canfield, Dore, Faulk, Foley, Guess, Huntley, Lewis (Harry), Mardesich, Marquardt, Peterson (Ted), Pritchard, Ryder, Stortini, Twigg, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

February 9, 1970.

SUBSTITUTE HOUSE BILL NO. 312, providing for efficient organization and for the effective operation of the state building authority (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Dore, Foley, Francis, Gissberg, Huntley, Lewis (Harry), McCormack, Marquardt, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Walgren, Williams.

Passed to Committee on Rules and Joint Rules for second reading.

February 9, 1970.

SUBSTITUTE HOUSE BILL NO. 318, authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Dore, Foley, Francis, Gissberg, Huntley, Lewis (Harry), Mardesich, Marquardt, Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Walgren, Williams, Wilson.

Passed to Committee on Rules and Joint Rules for second reading.

MESSAGES FROM THE HOUSE

February 11, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 146 with the House amendments (except the House amendment to page 120, line 31 from which the House receded), and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 9,

HOUSE BILL NO. 13,

HOUSE BILL NO. 26,

SUBSTITUTE HOUSE BILL NO. 60,

HOUSE BILL NO. 142,

SUBSTITUTE HOUSE BILL NO. 180,

HOUSE CONCURRENT RESOLUTION NO. 8,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The Speaker has signed:

SENATE BILL NO. 130,

SENATE BILL NO. 144,

SUBSTITUTE SENATE BILL NO. 161,

SENATE BILL NO. 191,

SENATE BILL NO. 266,

and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 11, 1970.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 158 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Chapin, Shera and Bottiger.

MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The House stands on its previous position and refuses to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 33 and asks the

Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Substitute House Bill No. 33: Representatives Goldsworthy, Saling and Brouillet.
MALCOLM McBEATH, Chief Clerk.

On motion of Senator Durkan, the request of the House for a conference on Engrossed Substitute House Bill No. 33 and the Senate amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute House Bill No. 33 and the Senate amendments thereto: Senators Durkan, Dore and Atwood.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MOTION

On motion of Senator Atwood, Senator Elicker was excused.

MESSAGES FROM THE HOUSE

February 11, 1970.

Mr. President: The House has failed to pass ENGROSSED SUBSTITUTE SENATE BILL NO. 123, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 11, 1970.

Mr. President: The House has adopted the report of the Conference Committee on HOUSE BILL NO. 162 and has granted said committee the powers of Free Conference.
MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 11, 1970.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 162, relating to civil disturbance and providing penalties, have had the same under consideration, and we recommend that it do pass with the following amendment:

Beginning on line 3, strike all of the material and insert:

"NEW SECTION. Section 1. It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

"NEW SECTION. Sec. 2. It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

"NEW SECTION. Sec. 3. The crimes defined in this act shall not apply to school administrators or teachers who are engaged in the reasonable exercise of their disciplinary authority.

"NEW SECTION, Sec. 4. Any person guilty of violating this act shall be deemed guilty of a gross misdemeanor and, upon conviction thereon, shall be fined not more than \$500.00, or imprisoned in jail not more than six months or both such fine and imprisonment.

"NEW SECTION. Sec. 5. SEVERABILITY. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this act so adjudged to be invalid or unconstitutional."

Signed by: Senators Andersen, Gissberg and Knoblauch; Representatives Clarke (George W.), Swayze and Adams.

On motion of Senator Gissberg, the report of the Free Conference Committee on House Bill No. 162 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 162, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senator Cooney—1.

Excused: Senators Elicker, Metcalf, Stender—3.

HOUSE BILL NO. 162, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 146,

HOUSE BILL NO. 9,

HOUSE BILL NO. 13,

HOUSE BILL NO. 26,

SUBSTITUTE HOUSE BILL NO. 60,

HOUSE BILL NO. 142,

SUBSTITUTE HOUSE BILL NO. 180,

HOUSE CONCURRENT RESOLUTION NO. 8.

Senator Washington moved adoption of the following resolution:

SENATE RESOLUTION: 1970-EX-37

By Senators Washington and Canfield:

WHEREAS, The Northwest River Basin Commission, an agency of the federal government, is engaged in a long-range comprehensive study of the resources of the Yakima River Basin, which will take a number of years to complete; and

WHEREAS, The state of Washington may in the near future also engage in a long-range comprehensive study and inventory of the rivers of the state of Washington, including the Yakima River; and

WHEREAS, The Yakima River is the longest river totally confined within the boundaries of the state of Washington and flows through the greatest variety of geologic, climatic and economic areas of any intrastate river; and

WHEREAS, The people of this diverse region should have a voice in the development of any plans made for this unusual river basin;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recommends that the legislative council study and make a report to the 1971 session of the legislature concerning the advisability of authorizing a locally based planning and recommendatory agency to represent local interests and points of view in the Yakima River basin, and to act in a coordinating and liaison capacity between local public bodies and the Northwest River Basin Commission, an agency of the federal government, which is now engaged in conducting a water and related land resources study in the Yakima River watershed; and to act in a liaison and coordinating capacity between local public bodies and any other state or federal agency which may engage in planning or resource study activities in the Yakima River basin; and whose objective is to encourage and assist in the preservation of the watershed of the Yakima River basin and to encourage and assist in the proper development thereof, including the improvement of agricultural, industrial, home development, and recreational opportunities and the conservation of the natural environment, fish and wildlife resources, and the amenities of the area.

Senator Lewis (Brian) moved adoption of the following amendment:

On page 1, line 13, delete "legislative council" and insert "Joint Committee on Water Resources"

Debate ensued.

On motion of Senator Bailey, the amendment by Senator Lewis (Brian) was laid upon the table.

The motion by Senator Washington carried and the resolution was adopted.

SENATE RESOLUTION: 1970-EX-38

By: All members of Washington State Senate.

WHEREAS, This second extraordinary session of the 41st legislature was called to handle emergency matters; and

WHEREAS, Adjournment is imminent, but delayed by excessive time taken for resolutions involving prospective, as distinguished from current solution to problems;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, in legislative session assembled this thirty-first day, in view of the cutoff resolution, preempt the remaining time for more productive and high priority matters and go on record opposing the introduction of any further resolutions not having anything to do with the procedures of bringing this session closer to adjournment.

There being no objection, the resolution was laid upon the table.

SECOND READING

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

Authorizing increases in tuition and incidental fees for institutions of higher education. The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 253 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 253, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-46.

Voting nay: Senator Francis-1.

Excused: Senators Metcalf, Stender-2.

ENGROSSED HOUSE BILL NO. 253, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 312, by Committee on Appropriations:

Providing for efficient organization and for the effective operation of the state building authority.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 312 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 312, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Excused: Senators Metcalf, Stender—2.

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.

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Appropriations:

Authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 318 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 318, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Marquardt, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—46.

Absent or not voting: Senator Mardesich—1.

Excused: Senators Metcalf, Stender—2.

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

At 10:25 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, February 12, 1970.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 12, 1970.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Stender. On motion of Senator Atwood, Senator Stender was excused.

The Color Guard, consisting of Pages Dave Molyneaux, Color Bearer, and Darcie Eder, presented the Colors. Reverend Glen D. Cole, pastor of the First Assembly of God Church of Olympia, offered prayer as follows:

"Lord, we want to give You thanks today. The Bible says that 'It is good to sing praises unto our God; for it is pleasant; and praise is comely.' You have been good to us! Our cup runneth over! Help us, therefore, to live praiseful lives this day. We make our prayer the prayer of one writer, who said, 'Father, forgive me, I'm tongue-tied, I'm a sealed bottle. Clip the top, tilt me, let the contents pour out until I am empty with praise.' It just does us good, Lord, to lift up our eyes in the midst of a busy life and say, 'Thanks!' We acknowledge, with humility, Your hand of blessing upon us. Now, Dear God, grant these legislators wisdom for another day's business. May this extra legislative session come to a very wholesome and worthwhile end. And now may the fire of Christ ignite us; may the cross of Christ redeem us; may the faith of Christ inspire us; may the love of Christ sustain us, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

SECOND READING

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

Providing minimum pension for certain pensioners under supreme court judges' retirement act.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendments by Senators Foley and Ryder were adopted:

On page 1, line 16, following section 1, insert a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 2.12 RCW a new section to read as follows:

Any member of the Washington public employees' retirement system who is eligible to participate in the judges' retirement system, may by written request filed with the director and custodian of the two systems respectively, transfer such membership to the judges' retirement system. Upon the receipt of such request, the director of the Washington public employees' retirement system shall transfer to the state treasurer (1) all employees' contributions and interest thereon belonging to such member in the employees' savings fund and all employers' contributions credited or attributed to such member in the benefit account fund and (2) a record of service credited to such member. One half of such service but not in excess of twelve years shall be computed and credited to such member as though such service was performed as a member of the judges' retirement system. Upon such transfer being made the state treasurer shall deposit such moneys in the judges' retirement fund. In the event that any such member should terminate judicial service prior to his entitlement to retirement benefits under any of the provisions of chapter 2.12 RCW, he shall upon request therefor be repaid from the judges' retirement fund any amount equal to the amount of his employees' contributions to the Washington public employees' retirement system and interest plus interest thereon from the date of the transfer of such moneys: PROVIDED, HOWEVER, That this section shall not apply to any person who is retired as a judge as of the effective date of this act."

Renumber the remaining section.

In line 2 of the title strike "a new section" and insert "new sections"

On motion of Senator Atwood, the rules were suspended, Engrossed House Bill No.

127, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 127, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odeggaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—48.

Excused: Senator Stender—1.

ENGROSSED HOUSE BILL NO. 127, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 206,
SENATE BILL NO. 261.

MOTION

On motion of Senator Greive, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 11, 1970.

Mr. President: The House has passed SENATE BILL NO. 58 with the following amendments:

In line 1 of the title after "lands" strike the remainder of the title and insert: "including areas subject to marine water flowage, and providing for improved planning of the use thereof, and the protection and preservation thereof for the public benefit; adding a new chapter to Title 43 RCW; making an appropriation; providing penalties; and declaring an emergency."

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

"NEW SECTION. Section 1. The legislature finds and declares that the seacoast tidal beaches of the state of Washington are a unique and valuable natural resource profoundly affected by changes in physical and ecological factors; that our expanding population will increase the use and development of the seacoast tidal beaches; that many of the tidal beaches are in private ownership; that unrestricted construction on the privately owned or publicly owned tidelands is not in the best public interest; and that therefore, coordinated planning is necessary in order to protect the public interest associated with the seacoast tidal beaches while, at the same time, recognizing and protecting private property rights consistent with the public interest.

It is therefore declared to be the policy of this state that it is in the public interest to protect the seacoast tidal beaches as herein provided and that the seacoast tidal beaches be managed so as to plan for and foster all reasonable and appropriate uses. In all such uses the provisions of this act shall be construed and administered so as to minimize any resultant damage to the ecology and the environment of the seacoast tidal beaches and their adjoining upland and to minimize the interference with the public's use of the waters over such tidelands. Uses which are unique to or particularly dependent upon the seacoast tidal beaches are to be preferred over uses which can be located elsewhere.

NEW SECTION. Sec. 2. As used in this act, unless the context otherwise requires:

(1) "Review Board" shall mean a board consisting of five members: The governor, or his duly appointed representative; the commissioner of public lands, or his duly appointed representative; one member who shall be appointed by the director of commerce and economic development; one member who shall be appointed by the interagency committee

on outdoor recreation; and for the purposes of establishing seacoast tidal beach guidelines, a representative chosen by the Washington state association of counties; and for all other purposes, a representative chosen by the public agency directly involved, but if no unit of local government is directly involved, then a representative of local government with zoning authority over the adjacent upland area;

(2) "Construction" shall mean erection of any permanent structure valued at more than two hundred fifty dollars; or any activity which interferes with the normal public use of the tidal water at any stage of the tide or otherwise materially alters the seacoast tidal beach;

(3) "Harbor areas" shall mean those areas so designated by the harbor line commission in accord with Article XV of the state Constitution or by legislative action;

(4) "Department" shall mean the department of environmental quality;

(5) "Department plan" shall mean plans adopted by the department in lieu of public planning and regulations or any amendments or modifications thereto;

(6) "Local governments" shall mean counties, incorporated cities and towns, port districts and any other political subdivision or public corporation which contain within their boundaries any seacoast tidal beaches subject to this act;

(7) "Ordinary high water mark" for the purpose of this act for tidal waters will be found by examining the bed and banks, and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as well as in respect to the nature of the soil itself as these conditions exist on the effective day of this act or as they may naturally change thereafter;

(8) "Person" shall mean an individual, partnership, corporation, association, organization, cooperative, municipal corporation, or agency of state or local government, however designated;

(9) "Public agency" shall mean a unit of local government, including a port district or a state agency;

(10) "Public planning and regulations" shall mean regulations adopted by public agencies to govern use of the seacoast tidal beaches pursuant to this act, and any amendments or modifications thereto;

(11) "Seacoast tidal beaches" shall mean the tidal area between the ordinary high water mark and the line of extreme low tide; which boundaries shall extend across the beds of navigable rivers contained therein;

(12) "State agency" shall mean any officer or any administrative or organizational branch of state government, regardless of its particular official designation;

(13) "Seacoast tidal beach guidelines" shall mean the guidelines adopted pursuant to section 7 of this act.

As used in this act, the singular shall include the plural and any gender shall include all others.

NEW SECTION. Sec. 3. This act shall apply to: (1) the seacoast tidal beaches from the mouth of the Columbia River northward to Cape Flattery and from Cape Flattery to Point Wilson, and (2) the seacoast tidal beaches surrounding and included within the Puget Sound Basin, including Hood Canal, the San Juan Islands and the eastern seacoast tidal beaches of Puget Sound extending to the Canadian border.

NEW SECTION. Sec. 4. The provisions of this act, with respect to all publicly owned seacoast tidal beaches along with any privately owned portion of the seacoast tidal beach adjoining landward across the legal boundary of the abutting uplands, shall be administered by the public agency otherwise holding, managing and administering such public beaches; and, with respect to seacoast tidal beaches in other private ownership, shall be administered by the department, except that the area between the ordinary high water mark and the inner harbor line shall be administered by the public agency administering the abutting harbor area if there are improvements authorized in the abutting or adjacent harbor area. The public agencies administering the seacoast tidal beaches shall consult with one another relative to permitted use along common boundaries and may mutually agree to assign responsibilities acquired under this act to one another.

NEW SECTION. Sec. 5. Until such time as the appropriate public agency adopts public planning and regulations, new construction may be started on the seacoast tidal beaches only after issuance of a written permit by the administering agency. Permits shall be issued for uses consistent with the policy declared in section 1 upon application for the purposes of (1) construction necessary to protect real or personal property; (2) construction of the normal protective bulkhead common to the single family residence in the immediate area; (3) appropriate construction associated with harbor areas; (4) aids to public navigation; (5) construction that the public agency determines will be in conformance with both the probable and alternative public planning and regulations for the area consistent with the policy declared in section 1 unless it finds that such construction may cause substantial irreparable damage to the seacoast tidal beaches, in which case the granting of a permit shall be discretionary.

Application for permits under this section shall be made upon forms furnished by the appropriate public agency and shall be accompanied by evidence that the applicant has complied with the state hydraulics code, RCW 75.20.100, and is otherwise duly authorized to conduct the activity proposed upon the property affected.

The appropriate public agency shall require the applicant to give notice to owners of adjacent seacoast area real property by mailing such notice to the owner at his address as shown on the records of the county treasurer wherein such property is located, and except

as to construction to protect property or a bulkhead common to a single family residence to the general public by publication twice in a newspaper of general circulation within the county in which said property is located in such form as the agency may prescribe and shall conduct a public hearing whenever there appears to be sufficient concern.

The exclusive remedy for a person feeling aggrieved from the granting of a permit on the seacoast tidal beaches under this section, or for a person feeling aggrieved from the denial of a permit on the privately owned seacoast tidal beaches under this section, shall be to demand a hearing before the review board, within thirty days of the granting or denial of said permit, which hearing shall be considered a contested case under chapter 34.04 RCW. Any person feeling aggrieved by a final decision of the review board may appeal to the superior court as provided in RCW 34.04.130.

NEW SECTION. Sec. 6. Within one and one-half years following the effective date of this act the department shall establish seacoast tidal beach guidelines to implement the policy declared in section 1 of this act. To establish such guidelines public hearings shall be held by the department in the county seat of each county in which there are seacoast tidal beaches and the procedures for establishing rules and regulations under the Administrative Procedure Act, chapter 34.04 RCW shall be followed. When the guidelines have been established and adopted by the department they shall become effective only upon approval of the review board, and following such approval, only after approval by the legislature.

NEW SECTION. Sec. 7. Within one and one-half years following the adoption of seacoast tidal beach guidelines, the appropriate public agencies shall develop and adopt public planning and regulations for the seacoast tidal beaches. Such planning and regulations shall be reasonably consistent with the guidelines as adopted by the department and approved as provided in this act.

Any public planning and regulations on areas between the ordinary high water mark and the inner harbor line, adopted pursuant to this act, shall not restrict construction for those uses that exist or are authorized in current leases on the abutting harbor area.

The department may cooperate with and assist all appropriate agencies or units of government, and private individuals or organizations, in obtaining, developing and financing new plans, studies, and surveys. State agencies and officials of local governments shall cooperate fully with each other and the department in furthering the purposes of this act.

Subject to the requirements for the establishment and adoption of seacoast tidal beach guidelines by the department, the department with the approval of the review board and the legislative council may amend, modify or rescind guidelines from time to time, as necessary.

NEW SECTION. Sec. 8. Any public agency that has completed its proposed public planning and regulations pursuant to this act shall submit such plans or regulations to the department for review prior to final adoption by said public agency. The department shall, if supported by the review board, require modification of any proposed public planning and regulation so as to be reasonably consistent with the seacoast tidal beach guidelines and shall recommend appropriate changes. The public agency shall then have sixty days to adopt the department's recommendations or to make other revisions designed to correct the conflicts and resubmit the plans to the department.

If any public agency fails to complete and implement public planning and regulations within the one and one-half year period specified, or to modify its plans or regulations as provided in this act within an additional ninety days, the department shall make department plans subject to the approval of the review board which the public agency shall then enforce or, if such public agency declines or fails to enforce the provisions of the department's plan, the department shall enforce said provisions.

The department may extend the time for compliance with this section by not more than ninety days if it finds that the public agency is making all reasonable efforts to comply in the shortest possible time.

NEW SECTION. Sec. 9 The superior court of Thurston county or of the county within which the seacoast tidal beaches are located shall have jurisdiction of suits commenced under this act, including jurisdiction to restrain any violation of the public planning and regulations. The attorney general at the request of the department, any state agency, or the prosecuting attorney or municipal attorney at the request of the local government, shall seek injunctive, declaratory, or other civil relief necessary to enforce this act.

If a private citizen has requested the attorney general to enforce this act, and the attorney general has declined to do so, the private citizen may institute an appropriate civil suit to enforce this act in the name of the state, and if he prevails, may be entitled to his reasonable attorney's fee from the defendant. If the defendant prevails, the defendant may be entitled to his reasonable attorney's fee from the plaintiff.

NEW SECTION. Sec. 10. Any person who violates any provision of this act shall be liable for all damages to public or private property arising from such violation, and for the cost of restoring the affected area to its condition prior to the violation. Private persons, the department and other state agencies through the attorney general and local governments through the appropriate legal officer, may sue under this section on their own behalf. The court may, as an alternative to the awarding of the cost of restoration, compel the violator to restore the affected area under such terms or conditions as it may order. The court may award reasonable attorney's fees to the prevailing party.

NEW SECTION. Sec. 11. Any person who erects any structure or otherwise materially alters any portion of the seacoast tidal beaches in violation of any provision of this act or rules or regulations adopted hereunder, shall be guilty of a gross misdemeanor

and shall be punished by a fine of not less than one hundred nor more than twenty-five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both. The fine for the third and all subsequent violations in any five-year period shall not be less than one thousand nor more than ten thousand dollars.

NEW SECTION. Sec. 12. For the purposes of administering this act the department may enter into contracts with, or receive funds from, the state of Washington or any of its agencies or subdivisions, from the federal government, or from any other public or private agency, person, or organization.

NEW SECTION. Sec. 13. All appropriate state agencies and local governments shall review administrative and management policies, regulations, contracts, and plans affecting adjacent lands or resources under their respective jurisdictions that may in any way involve the seacoast area subject to this act, and shall work individually, with each other, and with the department to implement the policy of this act. Particular attention shall be given to scheduled road construction, water impoundments and diversions, pollution control, dredgings and similar activities.

NEW SECTION. Sec. 14. The department is authorized to be the official representative of the state of Washington to the United States and its agencies, the Dominion of Canada, the state of Oregon, the Province of British Columbia, and other interested states, organizations and individuals, in the field of seacoast tidal beach use policy, but shall keep other Washington state agencies, concerned with seacoast tidal beach management, fully informed relative to such representation.

NEW SECTION. Sec. 15. The department may reimburse local governments and other state agencies from funds appropriated to the department for that purpose by the legislature, or funds otherwise received by the department, for up to seventy-five per centum of the local government's cost of developing public planning and regulations, comprehensive plans and zoning ordinances for the seacoast. State funds so made available may be treated as matching funds by the local governments, with the consent of the department, for the purposes of federal programs.

NEW SECTION. Sec. 16. This act is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

NEW SECTION. Sec. 17. The chairman of the review board shall be appointed by the members thereof, and he shall conduct the board's meetings in accordance with such rules as the board may prescribe.

NEW SECTION. Sec. 18. The review board shall meet at such times and at such places as necessary to carry out the purposes of this act. For such member, who is not otherwise employed by the state or some subdivision thereof, such member shall receive compensation in the amount of twenty-five dollars per day, together with mileage and per diem allowance as authorized for other state employees in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 19. In matters submitted to the review board for review or approval other than for the review of the granting or denial of a permit under section 5 herein, it shall be the responsibility of the director of the department to accompany such requests with a statement of the background occasioning the request together with the department's proposal for dealing with the same. The review board shall submit to the director in writing their decision on each matter presented.

NEW SECTION. Sec. 20. In addition to the establishment of the guidelines authorized in section 7 of this act the department shall conduct a comprehensive study of the private and public use and management of the seacoast uplands, particularly as such use and management relates to the adjacent seacoast tidal beaches. This study shall be conducted so as to include consultation with all interested parties, including local governments, state agencies, federal agencies and private groups. The department shall further at all times coordinate its study with the legislative council. The results of the study, and any recommendations, shall be presented to the legislature within one year of the effective date of the seacoast tidal beaches guidelines.

NEW SECTION. Sec. 21. If any provision of this act, or its application to any person or legal entity or circumstances, is held invalid, the remainder of the act, or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

NEW SECTION. Sec. 22. If the department of environmental quality is not created by the legislature prior to the effective date hereof, the powers and functions given to the department by this act shall be vested in such agency as is designated by the governor, until the department of environmental quality is created.

NEW SECTION. Sec. 23. This act shall not affect any of the provisions of the state fisheries laws (Title 75 RCW), the state water pollution control laws (Title 90 RCW), the state game laws (Title 77 RCW), and shall be cumulative and nonexclusive. Nor shall this act affect any exploratory work construction or operation of a thermal power plant by an electric utility in accordance with the requirements of the thermal power plant site evaluation council pursuant to the provisions of that chapter of Title 80 RCW established by chapter —, Laws of 1970 (ESB No. 49).

NEW SECTION. Sec. 24. Nothing in this act shall be construed to prejudice any public or private rights that now exist, or hereafter may be established in the seacoast tidal beaches except to the extent that uses of the seacoast tidal beaches are made in compliance with the provisions of this act or amendments thereto. Nothing in this act shall be construed to prohibit the exercise of any rights granted under the provisions of chapter 24, Laws of 1895, chapter 25, Laws of 1895, and chapter 165, Laws of 1919.

NEW SECTION. Sec. 25. This act shall be known and cited as the "Seacoast Management Act of 1970" and shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 26. There is appropriated to the department of environmental quality from the general fund, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 7 and 20 of this act.", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

Senator Greive moved that the Senate do not concur in the House amendments to Senate Bill No. 58.

Debate ensued.

POINT OF INQUIRY

Senator Gissberg: "Will Senator Greive yield? Senator, are you speaking now on the motion not to concur or are you raising the point of order as to the scope and object of the bill?"

Senator Greive: "I first spoke on the motion not to concur. I intend to incidentally raise the scope and object as a technical point. I have not done that yet. I am perfectly willing to do that if I am recognized for that purpose."

Senator Gissberg moved that the Senate do concur in the House amendments to Senate Bill No. 58.

Further debate ensued.

POINT OF ORDER

Senator Greive: "I raise the point of order that the House committee amendments to Senate Bill No. 58 are not in conformity and change the scope and object of Senate Bill No. 58 which dealt with the scenic beauty and was limited to Class AA counties and which dealt with the building of multi-story residences over bodies of water. I would suggest that it probably is not within the object but it certainly is not within the scope. It is an entire state-wide act and it deals with matters entirely different. In fact, it left out the entire bill so that the bill that went over to the House is no longer with it."

Debate ensued.

RULING BY THE PRESIDENT

The President: "In ruling on the point of order as raised by Senator Greive, the President finds that Senate Bill No. 58 is an act which limits the conditions under which multi-storied residences may be constructed on waterfront lands of navigable waters within Class AA counties only.

"The amendment to Senate Bill No. 58, adopted by the House, is a sweeping Seacoast Management Act which creates a review board, establishes rules and regulations for navigable bodies of water from the mouth of the Columbia River northward to Cape Flattery and from there to Point Wilson. The House amendment also applies to all coastal tidal beaches surrounding and included within the Puget Sound basin and the eastern seacoast tidal beaches of Puget Sound extending to the Canadian border. Further, the amendment contains criminal penalties and carries an appropriation of \$100,000.00.

"The point of order is therefore well taken and pursuant to Rule 62, the President is obligated to assign Senate Bill No. 58 to the appropriate Committee."

MOTION

Senator Mardesich moved that Senate Bill No. 58 be referred to the Committee on Rules and Joint Rules.

PARLIAMENTARY INQUIRY

Senator Bailey: "After the ruling on scope and object, it is my understanding that a bill can go back to the original committee and come back again as a new bill. I am wondering . . . has the Rules Committee the power to bring back a new bill?"

Senator Mardesich: "If the President would examine his rulings of 1967 with respect to the department of transportation, he would find the point directly in order."

Debate ensued.

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point raised by Senator Mardesich rules that Senator Mardesich's remarks are well taken. Senate Rule 62, a portion thereof states that 'Such a bill shall be referred to an appropriate committee and shall take the same course as for original bills.' If the Senate in its wisdom and judgment decides to send the measure to the Senate Committee on Rules and Joint Rules, the President believes that it is following the course of an original bill."

MOTION

Senator McCutcheon moved that the motion by Senator Mardesich be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Washington, Francis, Sandison, Ryder, Peterson (Lowell), Odegaard, Stortini, Donohue and Guess.

The President declared the question before the Senate to be the motion by Senator McCutcheon to lay upon the table the motion by Senator Mardesich to refer Senate Bill No. 58 as amended by the House, to the Committee on Rules and Joint Rules.

ROLL CALL

The Secretary called the roll and the motion by Senator McCutcheon carried by the following vote: Yeas, 26; nays, 20; absent or not voting, 2; excused, 1.

Voting yea: Senators Connor, Cooney, Day, Donohue, Dore, Durkan, Faulk, Foley, Francis, Greive, Guess, Herr, Knoblauch, McCormack, McCutcheon, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Walgren, Washington, Wilson, Woodall—26.

Voting nay: Senators Andersen, Atwood, Bailey, Canfield, Elicker, Gissberg, Holman, Huntley, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Peterson (Ted), Pritchard, Ryder, Sandison, Twigg, Williams—20.

Absent or not voting: Senators Henry, Keefe—2.

Excused: Senator Stender—1.

Senate Bill No. 58, as amended by the House, was referred to the Committee on Natural Resources, Fisheries and Game.

MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 1:05 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:05 p.m.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on HOUSE BILL NO. 162 and has passed the bill as amended by the Free Conference Committee.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 201, authorizing establishment of speed limits for auto stages, have had the same

under consideration, and we recommend the bill be passed as amended by the Senate.

Signed by: Senators Washington, Woodall and Cooney; Representatives Leland, Beck and Berentson.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 173, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 173, by Representatives Goldsworthy and Saling:
Relating to expenses of legislature.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 173 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 173 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 173 and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—45.

Absent or not voting: Senators Henry, Lewis (Harry), McCormack—3.

Excused: Senator Stender—1.

ENGROSSED HOUSE BILL NO. 173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

At 1:40 p.m., on motion of Senator Greive, the Senate recessed until 2:45 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:45 p.m.

MOTION

Senator Durkan moved that the Senate do now consider the appointment of the Honorable Don Eldridge to the Washington State Liquor Control Board.

GUBERNATORIAL APPOINTMENTS

Senator Atwood moved that the Senate do confirm the appointment of the Honorable Don Eldridge to the position of member of the Washington State Liquor Control Board.

Senator Durkan: "Mr. President, speaking in favor of the appointment, Speaker Eldridge has been a member of the Washington State Legislature for eighteen years. He has been a tough competitor. He has been a good Speaker. There are many of us who have differed with him over the years on his philosophy but not on the manner in which he has

gone about enforcing it. He has always at least listened. He has not responded many times, but that is the philosophy and that is the manner in which the legislature operates sometimes. Being Speaker of the House of Representatives is not an easy job. It is probably the hardest position that a man can occupy in the halls of the legislature. He has to be somewhat of a dictator. He has to be a father; he has to be a persuader. He has to be a philosopher, and at the same time he has to be the leader of his Party. I would be the first to admit that Don Eldridge has been a good Speaker for the Republican Party. I would be the first to admit that Don Eldridge has been a tough competitor for the Republican Party, but so be it. There is nothing in his record as far as I am concerned that would have me vote against him. There are things that all of us would like in this world, but it would appear that there is going to be a new member of the Board. I congratulate the Governor on his choice, and I congratulate the Speaker on his acceptance. I have somewhat mixed emotions on his leaving, but nevertheless he has made that decision. We shall look forward in the coming years to dealing with him across the street."

Senator Lewis (Harry): "Thank you, Mr. President. Speaking for the confirmation of Don Eldridge as a member of the Liquor Board, I would like to first express my personal appreciation and also to recognize the fairness of the other side of the aisle in a confirmation such as this. I think this speaks well for the Senate of the state of Washington. It speaks well for the opposition party, and I think it speaks well for the people of the State that they can look to a body such as this to be fair, to be equitable, and to be responsible. I congratulate the other side, the Committee Chairman involved and the leadership on the other side, for their responsibility as exercised in this confirmation report; and I hope that they will support him. Don Eldridge's honors are many. I think Senator Atwood can speak more directly to give you a little bit of his background and his recognition in the State and in the nation; and I think that Senator Durkan's remarks as to his honesty, his reliability, and his hard work will apply to his new position on the State Liquor Board as well as they have applied to the office he now holds. I personally look forward to the sale of his business in Snohomish county and Skagit county and his move to Olympia. I think he will be an asset to the community, and I welcome him here to Thurston county."

Senator Bailey: "I rise to support the confirmation of Don Eldridge, and I would like to make a comment from the Majority Caucus. There have been stories floating around here for several days and several weeks that we were dealing with bingo if you want and taxes and trying to trade this off for the Eldridge nomination, but anybody that picked up that bit of information did not really wait to find a reliable source to get it. They printed what they saw fit, and they printed a bunch of trash. The Majority Caucus has never dealt with this nomination in any other way than to consider Don Eldridge individually and as a good Speaker of the House and a good member of the legislature."

Senator Peterson (Lowell): "Mr. President and members of the Senate, representing the district from which Don Eldridge comes from though he is moving down to Olympia, I would like to add my few comments. I believe that Don in many ways has demonstrated his ability, and he is certainly knowledgeable in state government. He is a proven successful businessman, and I only feel that Skagit county's loss will be state government's gain."

Senator Walgren: "Mr. President and members of the Senate, I too would like to concur in the remarks that have been made on behalf of Speaker Eldridge. I think that he will be a fine member of the Liquor Control Board. I am looking forward to working with him as Chairman of the Senate Committee on Liquor Control. I would also like to congratulate the very persuasive powers of Senator Lewis in discussing this matter over the last few days concerning this appointment."

Senator Ryder: "I would like to add my remarks in support of Don Eldridge for Chairman of the Liquor Board. I think I have . . . as a member of the Liquor Board. I beg your pardon. I think I have a special relationship to him. He came into the House of Representatives at the same time I did in 1953 when we had a great influx of new Republican members. I think if I count right—and Senator Canfield can correct me if I am wrong—there are only three of those Republicans left, Senator Canfield, Speaker Eldridge, and myself. Is that right, Senator, that is left in the legislature? Many of them have gone on to bigger and better things, of course; but in those days I found Don a very helpful associate in the House. He did a real fine job in his first term there as he has done in every term since. I came over to the Senate but continued to work with him; and I have found him to be a man of honesty, a man of integrity, and a man who could be relied upon to follow through any time he was given a job to do. I certainly am very happy to have had this opportunity to support him for this job, which he wants."

Senator Atwood: "Mr. President, gentlemen of the Senate, I think today we have come to the point where we see everyone judging a man on his merits; and the man we are talking about today is truly a man of outstanding public service. He first began his public service in the Junior Chamber of Commerce. He was the State President of the Washington State Junior Chamber of Commerce, and he went on to be the National Vice President of the United States Junior Chamber of Commerce. In addition to this, he is probably the outstanding scouting leader north of Seattle. He is a holder of the Silver Beaver Award; and Don today is still active in scouting and in many other activities such as UGN and others. He is a long-time businessman of Mount Vernon, and I think that the Liquor Control Board gain is our loss. I might point out also he is the only Republican who has been Speaker of the House twice in the last fifty years in succession, which is pretty good for a Republican in that House. I would urge your support on his nomination."

Senator Mardesich: "I hesitate to say anything for fear of tarnishing the angelic image

we have created, and I would support this if for no other reason because I would hate to break that record by having him with three consecutive terms as Speaker. Really the reason I rise is that a question has arisen in my mind as to the legality of the action we take. Somewhere in the back of my mind it rings a bell that there is a prohibition either by gubernatorial fiat or law, I do not know which, prohibiting any person from holding two jobs within the state government at one time. I wonder whether this confirmation at this particular moment makes this a valid act even. Has anyone checked that out?"

Senator Lewis (Harry): "Mr. President, having served with Senator Mardesich in the House as well as in the Senate, I was prepared for just such a question. I can assure you that his confirmation has been cleared through the offices of the Attorney General, and it is in his opinion that what we are doing is a legal and proper act. Now if you care to disagree with the Attorney General again, Senator Mardesich, I believe that is your prerogative."

Senator Mardesich: "Do you have such an opinion in writing?"

Senator Lewis (Harry): "It is my understanding the Governor's office has. I checked with them, and this has been clarified by them, yes."

Senator Mardesich: "It is much better having it in writing. I would hesitate to accept the Attorney General's opinion in any event in view of his position on House Bill 50, the gambling law."

The motion by Senator Atwood carried.

APPOINTMENT OF DON ELDRIDGE

The Secretary called the roll and the appointment of Don Eldridge to the position of Member of the Liquor Control Board was confirmed by the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Absent or not voting: Senator Newschwander—1.

Excused: Senator Stender—1.

It was moved by Senator McCormack that the appointment of Robert I. Tenney to the position of Member of the Board of Tax Appeals be now confirmed.

The motion was carried.

APPOINTMENT OF ROBERT I. TENNEY

The Secretary called the roll and the appointment of Robert I. Tenney to the position of Member of the Board of Tax Appeals was confirmed by the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Woodall—43.

Absent or not voting: Senators Connor, Francis, McCutcheon, Williams, Wilson—5.

Excused: Senator Stender—1.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 1, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 1, creating a department of pollution control, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by: Senators Durkan, Elicker and Greive; Representatives Flanagan, Julin and Gallagher.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 80, establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency, have had the same under consideration and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by: Senators Walgren, Woodall and Day; Representatives Swayze, North and Rosellini.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 139, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 139, regulating surface mining, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by: Senators Keefe, Peterson (Lowell) and Lewis (Harry); Representatives Newhouse, Zimmerman and Moon.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 317, and has granted such committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by: Senators Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

PERSONAL PRIVILEGES

Senator Wilson: "Mr. President and members of the Senate, I appreciate we have a full agenda today. I will take only a moment for this particular matter. On March 1, 1969 when we were in session, Senate Bill No. 273, increasing permissible fees for county printing, came before this body for final passage. I am in the weekly newspaper business and this bill could have had a slight but favorable financial impact upon my business although no more so than any other weekly newspaper in the state. Therefore, my voting on this bill to which I am referring was not in violation of our code of ethics, I still felt uneasy about the matter, however.

"As I sat here in the back row attempting to resolve this dilemma, Senator Lewis (Brian) very kindly strolled over and suggested a means of resolving this difficulty. He said that during his service in the House he had observed that House members who are weekly newspaper publishers customarily left the floor when a bill was before them which would have a financial impact on their industry. I felt this was an admirable solution and I left the floor going into the wings and did not vote on the final passage of this bill.

"Beyond this I have had occasion to tell a number of people in my district when the subject arose that it is my policy to leave the floor and not to vote upon bills which have a unique financial impact on weekly newspapers. I was, therefore, somewhat concerned to discover a few days ago on page four hundred sixteen of the Journal from our previous session that I am recorded as having voted 'aye' on the final passage of Senate Bill No. 273.

"I have discussed this matter with the Secretary and with Verne Sawyer, the reading clerk. I am not at all speaking critically of them. I fully appreciate the difficulties under which they work and I also fully appreciate the number of steps involved in translating our day-to-day record into a final published journal and the possibilities of error along the way. I am interested, however, in speaking to this point in correction of our previous journal. Since I alone should not speak to this point, I would appreciate the President recognizing Senator Lewis (Brian) to complete these remarks."

Senator Lewis (Brian): "Thank you, Mr. President. If I may speak to a point of personal privilege on this. I do believe that on the roll call as indicated in the journal of the Senate of the first extraordinary session on page four hundred sixteen of our record that there was an error made somewhere in the transcribing of the record of the vote because very distinctly my recollection is that Senator Wilson was not present and did not vote on this bill."

MESSAGES FROM THE HOUSE

February 11, 1970.

Mr. President: The Speaker has signed:
 SUBSTITUTE SENATE BILL NO. 146,
 SENATE BILL NO. 206,
 SENATE BILL NO. 261,
 and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 12, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 1, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.
 DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 1, as amended by the House, otherwise described as the House committee amendments to ENGROSSED SENATE BILL NO. 1, have had the same under consideration, and we recommend that the following be substituted therefor:

On line 1 of the title after the semicolon after "government" strike everything down to and including the semicolon on line 2 and insert the following:

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

On page 1, following the enacting clause, strike the remainder of the act and substitute therefor the following sections:

NEW SECTION. Section 1. The legislature recognizes, and declares it to be the policy of this state, that it is a fundamental and inalienable right of the people of the state of Washington to live in a healthful and pleasant environment and to benefit from the proper development and use of its natural resources. The legislature further recognizes that as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state.

NEW SECTION. Sec. 2. In recognition of the responsibility of state government to carry out the policies set forth in section 1 of this 1970 amendatory act, it is the purpose of this chapter to establish a single state agency with the authority to manage and develop our air and water resources in an orderly, efficient, and effective manner and to carry out a

coordinated program of pollution control involving these and related land resources. To this end a department of ecology is created by this chapter to undertake, in an integrated manner, the various water regulation, management, planning and development programs now authorized to be performed by the department of water resources and the water pollution control commission, the air regulation and management program now performed by the state air pollution control board, the solid waste regulation and management program authorized to be performed by state government as provided by chapter 70.95 RCW, and such other environmental, management protection and development programs as may be authorized by the legislature.

NEW SECTION. Sec. 3. As used in this chapter, unless the context indicates otherwise:

- (1) "Department" means the department of ecology.
- (2) "Director" means the director of the department of ecology.
- (3) "Commission" means the ecological commission.

NEW SECTION. Sec. 4. There is created a department of state government to be known as the department of ecology.

NEW SECTION. Sec. 5. The executive and administrative head of the department shall be the director. The director shall be appointed by the governor with the consent of the senate. He shall have complete charge of and supervisory powers over the department. He shall be paid a salary fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he shall present to that body his nomination for the position.

NEW SECTION. Sec. 6. The following powers, duties and functions are hereby transferred to the department of ecology created in section 4 of this 1970 amendatory act:

- (1) All powers, duties and functions authorized to be performed by the water pollution control commission, or the director thereof, by the terms of chapter 90.48 RCW or otherwise, including those assigned by action of this 1970 legislature;
- (2) All powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of this 1970 legislature;
- (3) All powers, duties and functions authorized to be performed with reference to air pollution by the department of health, or the director thereof, and by the state air pollution control board or its executive director, by terms of chapter 70.94 RCW, the Washington Clean Air Act, or otherwise, including those assigned by this 1970 legislature; and
- (4) All powers, duties and functions authorized to be performed by the department of health, or the director of health, involving the control of pollution problems created by the disposal of solid waste, including those assigned by action of this 1970 legislature, and all powers, duties and functions to be exercised and performed by a department of ecology by the terms of chapter 70.95 RCW, including those assigned by this 1970 legislature.

NEW SECTION. Sec. 7. The administrative procedure act, chapter 34.04 RCW, shall apply to the review of decisions by the director to the same extent as it applied to decisions issued by the directors of the various departments whose powers, duties and functions are transferred by this 1970 amendatory act to the department of ecology. The administrative procedure act shall further apply to all other decisions of the director as in that act provided.

NEW SECTION. Sec. 8. The director of the department of ecology is authorized to adopt such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

NEW SECTION. Sec. 9. All powers, duties and functions transferred to the department by the terms of this 1970 amendatory act shall be performed by the director: PROVIDED, That the director may delegate, by appropriate rule or regulation, the performance of such of his powers, duties, and functions, other than those relating to the adoption, amendment or rescission of rules and regulations, to employees of the department whenever it appears desirable in fulfilling the policy and purposes of this chapter.

NEW SECTION. Sec. 10. In order to obtain maximum efficiency and effectiveness within the department, the director may create such administrative divisions within the department as he deems necessary. The director shall appoint a deputy director as well as such assistant directors as shall be needed to administer the several divisions within the department. The deputy director shall have charge and general supervision of the department in the absence or disability of the director. In the case of a vacancy in the office of director, the deputy director shall administer the department until the governor appoints a successor to the director or an acting director. The officers appointed under this section and exempt from the provisions of the state civil service law as provided in section 11 of this 1970 amendatory act, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

NEW SECTION. Sec. 11. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of ecology to the director, his confidential secretary, his deputy director, and not to exceed six assistant directors.

NEW SECTION. Sec. 12. The director shall have the power to employ such personnel as may be necessary for the general administration of this chapter: PROVIDED, That except as specified in section 11 of this 1970 amendatory act, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

NEW SECTION. Sec. 13. In addition to any other powers granted the director, he may undertake studies dealing with all aspects of environmental problems involving land, water, or air: **PROVIDED**, That in the absence of specific legislative authority, such studies shall be limited to investigations of particular problems, and shall not be implemented by positive action: **PROVIDED FURTHER**, That the results of all such studies shall be submitted to the legislature prior to thirty days before the beginning of each regular session.

NEW SECTION. Sec. 14. The director in carrying out his powers and duties under this chapter shall consult with the department of health and the state board of health, or their successors, insofar as necessary to assure that those agencies concerned with the preservation of life and health may integrate their efforts to the fullest extent possible and endorse policies in common.

NEW SECTION. Sec. 15. The director, whenever it is lawful and feasible to do so, shall consult and cooperate with the federal government, as well as with other states and Canadian provinces, in the study and control of environmental problems. On behalf of the department, the director is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

NEW SECTION. Sec. 16. Whenever any records or other information furnished under the authority of this chapter to the director, the department, or any division of the department, relate to the processes of production unique to the owner or operator thereof, or may affect adversely the competitive position of such owner or operator if released to the public or to a competitor, the owner or operator of such processes or production may so certify, and request that such information or records be made available only for the confidential use of the director, the department, or the appropriate division of the department. The director shall give consideration to the request, and if such action would not be detrimental to the public interest and is otherwise within accord with the policies and purposes of this chapter, may grant the same.

NEW SECTION. Sec. 17. There is hereby created an ecological commission. The commission shall consist of seven members to be appointed by the governor from the electors of the state who shall have a general knowledge of and interest in environmental matters. No persons shall be eligible for appointment who hold any other state, county or municipal elective or appointive office.

(a) One public member shall be a representative of organized labor and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of organized labor of the state.

(b) One public member shall be a representative of the business community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the business community of the state.

(c) One public member shall be a representative of the agricultural community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the agricultural community of the state.

(d) Four persons representing the public at large.

The members of the initial commission shall be appointed within thirty days after the effective date of this act. Of the member of the initial commission, two shall be appointed for terms ending June 30, 1974, two shall be appointed for terms ending on June 30, 1973, two shall be appointed for terms ending on June 30, 1972, and one shall be appointed for a term ending June 30, 1971. Thereafter, each member of the commission shall be appointed for a term of four years. Vacancies shall be filled within ninety days for the remainder of the unexpired term by appointment of the governor in the same manner as the original appointments. Each member of the commission shall continue in office until his successor is appointed. No member shall be appointed for more than two consecutive terms. The chairman of the commission shall be appointed from the members by the governor.

The governor may remove any commission member for cause giving him a copy of the charges against him, and an opportunity of being publicly heard in person, or by counsel in his own defense. There shall be no right of review in any court whatsoever. The director or administrator, or a designated representative, of each of the following state agencies:

- (1) The department of agriculture;
- (2) The department of commerce and economic development;
- (3) The department of fisheries;
- (4) The department of game;
- (5) The department of health;
- (6) The department of natural resources;
- (7) The state parks and recreation commission shall be given notice of and may attend all meetings of the commission and shall be given full opportunity to examine and be heard on all proposed orders, regulations or recommendations.

NEW SECTION. Sec. 18. The commission shall meet quarterly at a date and place of its choice, and at such other times as shall be designated by the director or upon the written request of a majority of the commission. Members of the commission shall receive twenty-five dollars per diem for each day or major portion thereof actually spent in attending to their duties as commission members; and, in addition, they shall be entitled to

reimbursement and for their travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 19. It shall be the duty of the members of the commission to provide advice and guidance to the director on each of the following:

(1) Any positions proposed to be taken by the department on behalf of the state before interstate and federal agencies or federal legislative bodies on matters relating to or affecting the quality of the environment of the state;

(2) Any comprehensive environment quality plan, program or policy proposed for adoption by the department as a state plan or policy pertaining to an environmental management activity;

(3) Any procedures for the financial assistance grants proposed to be given to municipal, regional, county or state organizations for environmental quality purposes;

(4) Any procedures for considering applications for and granting variances;

(5) Any proposal developed for submission to the legislature as a departmental request bill;

(6) Any other matter pertaining to the activities of the department submitted by the director for which advice and guidance is requested.

The director shall submit in writing to each member of the commission all rules and regulations, other than for procedural matters, proposed by him for adoption in accordance with the procedures of chapter 34.04 RCW. Unless, within thirty days of such notification, five of the members of the commission, notify the director in writing of their disapproval of such proposed rules and regulations and their reasons therefore, such rules and regulations shall be adopted by the director in accordance with the procedures of chapter 34.04 RCW.

No powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of the 1970 legislature shall be affected by this section.

NEW SECTION. Sec. 20. In matters submitted to the commission for advice and guidance, as set forth in section 19 of this 1970 amendatory act, it shall be the responsibility of the director to accompany such request with a statement of the background occasioning the request, together with the director's proposal for dealing with the same. Each member shall individually submit to the director in writing his views within such time as the director shall prescribe. In considering a matter submitted to it by the director, the commission shall conduct such public hearings and make such investigations as it deems necessary. The secretary of the commission shall be the director, or an employee of the department designated by the director. It shall be the duty of the secretary to act as liaison between the commission and department as well as other state agencies; to prepare the minutes of the commission; and otherwise to assist the commission. The director shall furnish to the commission such staff and facilities as may be necessary to fulfill its duties. He shall submit to the governor during July of each year, a report containing a summary of the advice and guidance rendered by the commission during the preceding twelve month period.

NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory commission may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members.

NEW SECTION. Sec. 22. All employees and personnel classified under chapter 41.06 RCW, the state civil service law, and engaged in duties pertaining to the functions transferred by this chapter shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

NEW SECTION. Sec. 23. All reports, documents, surveys, books, records, files, papers or other writings in the possession of the department of health or state board of health pertaining to air pollution, in the possession of the department of health pertaining to air or solid waste pollution, or in the possession of the department of water resources or in the possession of the water pollution control commission shall be delivered to the custody of the department of ecology.

All cabinets, furniture, office equipment, motor vehicles and other tangible property employed in carrying out the powers, duties, and functions transferred by this chapter shall be made available to the department of ecology.

All funds, credits or other assets held in connection with the functions herein transferred shall be assigned to the department of ecology.

Any appropriations made to the department of health, the state air pollution control board, the department of water resources, or the water pollution control commission for the purpose of carrying out the powers, duties, and functions herein transferred, shall on the effective date of this chapter be transferred and credited to the department of ecology for the purpose of carrying out such transferred powers, duties and functions.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of program planning and fiscal management shall make a determination thereon and certify the same to the state agencies concerned.

NEW SECTION. Sec. 24. All state officials required to maintain contact with or provide services to the department of water resources, to the water pollution control

commission, to the department of health or state air pollution control board in connection with air pollution, or to the department of health in connection with solid waste pollution, shall continue to perform such services for the department of ecology unless otherwise directed by this chapter.

NEW SECTION. Sec. 25. Except as specifically provided in this 1970 amendatory act, the provisions hereof shall not impair or supersede the powers or rights granted under any other law to any person, committee, or association, any public, municipal, or private corporation, any state or local governmental agency, any federal agency, or any political subdivision of the state of Washington. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste material are not affected by this 1970 amendatory act, and the laws governing the same shall be protected and preserved.

NEW SECTION. Sec. 26. On July 1, 1970, the following state agencies, councils and committees are abolished:

- (1) The department of water resources.
- (2) The water pollution control commission.
- (3) The state air pollution control board.
- (4) The water resources advisory council.

All rules and regulations, and all pending business before the department of water resources, the department of health, the state air pollution control board or the water pollution control commission pertaining to matters affected by this chapter, as of July 1, 1970, shall be continued and acted upon by the department of ecology.

All existing contracts and obligations pertaining to the functions herein transferred shall remain in full force and effect, and shall be performed by the department. Neither the abolition of any agency nor any of the transfers authorized by this chapter shall affect the validity of any act performed by the department of water resources, the department of health, the state air pollution control board, or the water pollution control commission, or by any official or employee thereof, prior to the effective date of this chapter.

NEW SECTION. Sec. 27. The rule of strict construction shall have no application to this chapter and it shall be liberally construed in order to carry out the broad purposes set forth in section 2 of this 1970 amendatory act.

Sec. 28. Section 1, chapter 32, Laws of 1969 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of public assistance, (2) the department of institutions, (3) the department of health, (4) the department of [water resources] *ecology*, (5) the department of labor and industries, (6) the department of agriculture, (7) the department of fisheries, (8) the department of game, (9) the department of highways, (10) the department of motor vehicles, (11) the department of general administration, (12) the department of commerce and economic development, and (13) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 29. Section 2, chapter 32, Laws of 1969 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The director of public assistance, (2) the director of institutions, (3) the director of health, (4) the director of [water resources] *ecology*, (5) the director of labor and industries, (6) the director of agriculture, (7) the director of fisheries, (8) the director of game, (9) the director of highways, (10) the director of motor vehicles, (11) the director of general administration, (12) the director of commerce and economic development, and (13) the director of revenue.

Such officers, except the director of highways and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director of highways shall be appointed by the state highway commission, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 30. The following acts or parts thereof are each hereby repealed:

- (1) Section 3, chapter 242, Laws of 1967 and RCW 43.27A.030;
- (2) Section 4, chapter 242, Laws of 1967 and RCW 43.27A.040;
- (3) Section 5, chapter 242, Laws of 1967 and RCW 43.27A.050;
- (4) Section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060;
- (5) Section 7, chapter 242, Laws of 1967 and RCW 43.27A.070;
- (6) Section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100;
- (7) Section 11, chapter 242, Laws of 1967 and RCW 43.27A.110;
- (8) Section 16, chapter 242, Laws of 1967 and RCW 43.27A.140;
- (9) Section 17, chapter 242, Laws of 1967 and RCW 43.27A.150;
- (10) Section 18, chapter 242, Laws of 1967 and RCW 43.27A.160;
- (11) Section 19, chapter 242, Laws of 1967 and RCW 43.27A.170;
- (12) Section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300;
- (13) Section 2, chapter 188, Laws of 1961 and RCW 70.94.310;
- (14) Section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320;

(15) Section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021;

(16) Sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023;

(17) Section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024;

(18) Section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025;

(19) Section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026;

(20) Section 9, chapter 216, Laws of 1945 and RCW 90.48.027; and

(21) Section 1, chapter 242, Laws of 1967 and RCW 43.27A.010.

NEW SECTION. Sec. 31. There is hereby created a pollution control hearings board of the state of Washington as an agency of state government.

The purpose of the hearings board is to provide for a more expeditious and efficient disposition of appeals with respect to the decisions and orders of the department and director and with respect to all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW.

NEW SECTION. Sec. 32. The hearings board shall consist of three members qualified by experience or training in pertinent matters pertaining to the environment, and at least one member of the hearings board shall have been admitted to practice law in this state and engaged in the legal profession at the time of his appointment. The hearings board shall be appointed by the governor with the advice and consent of the senate, and no more than two of whom at the time of appointment or during their term shall be members of the same political party.

NEW SECTION. Sec. 33. Members of the hearings board shall be appointed for a term of six years and until their successors are appointed and have qualified. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs: PROVIDED, That the terms of the first three members of the hearings board shall be staggered so that one member shall be appointed to serve until July 1, 1972, one member until July 1, 1974, and one member until July 1, 1976.

NEW SECTION. Sec. 34. Any member of the hearings board may be removed for inefficiency, malfeasance and misfeasance in office, under specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the hearings board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 35. The hearings board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the hearings board shall operate on a full time basis, each member of the hearings board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040. If it is determined the hearings board shall operate on a part time basis, each member of the hearings board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: PROVIDED, That such compensation shall not exceed ten thousand dollars in a calendar year. Each hearings board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 36. Each member of the hearings board: (1) shall not be a candidate for nor hold any other public office or trust, and shall not engage in any occupation or business interfering with or inconsistent with his duty as a member of the hearings board, nor shall he serve on or under any committee of any political party; and (2) shall not for a period of one year after the termination of his membership on the hearings board, act in a representative capacity before the hearings board on any matter.

NEW SECTION. Sec. 37. The hearings board may appoint, discharge and fix the compensation of an executive secretary, a clerk, and such other clerical, professional and technical assistants as may be necessary, or may contract for required services.

NEW SECTION. Sec. 38. The hearings board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect such a chairman.

NEW SECTION. Sec. 39. The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

NEW SECTION. Sec. 40. The hearings board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decisions shall be effective upon being signed by two or more members of the hearings board and upon being filed at

the hearings board's principal office, and shall be open for public inspection at all reasonable times.

NEW SECTION. Sec. 41. The hearings board shall only have jurisdiction to hear and decide appeals from the decisions of the department and the director and the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW when such decisions concern matters within the jurisdiction of the hearings board as provided in this act or as provided in any future act or law granting the hearings board additional jurisdiction. The hearings board shall also have jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by air pollution control boards or authorities as established pursuant to chapter 70.94 RCW with respect to a violation or violations of this act or of any rule or regulation adopted by the department or of any other law within the jurisdiction of the department. The issuance, modification, or termination of any permit or license by the department in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit, shall be deemed to be an order for purposes of this act; PROVIDED, That review of rules and regulations adopted by the board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 42. Notwithstanding any other provisions of law to the contrary, the department and all air pollution control boards or authorities established pursuant to chapter 70.94 RCW are hereby prohibited from conducting hearings on violations of any rule or regulation made by the department or the director, on violations of this act, or on violations of any rule or regulation adopted by any air pollution control board or authority established pursuant to chapter 70.94 RCW, or on the issuance, modification, or termination of any permit or license, within the jurisdiction of the department. All petitions for hearings with respect to such violations shall be heard by this hearing board created in this 1970 act; PROVIDED, That violations of any rule or regulation made by any air pollution control board or authority established pursuant to chapter 70.94 RCW, may be heard by a hearings board of three members created by such board or authority pursuant to regulations promulgated by the hearings board created in this act.

Any order issued by the department or by any air pollution control board or authority established pursuant to chapter 70.94 RCW shall become final unless, no later than thirty days after the date that the notice and order are served, the person aggrieved by the order appeals to the hearings board as provided for in this act.

NEW SECTION. Sec. 43. The Administrative Procedure Act, chapter 34.04 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions are transferred by this 1970 act to the department. All other decisions and orders of the director and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this 1970 act.

NEW SECTION. Sec. 44. In all appeals over which the hearings board has jurisdiction under sections 41 and 42 of this 1970 act, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the hearings board; PROVIDED, That nothing herein shall be construed to modify the provisions of sections 49 and 50 of this 1970 act. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

NEW SECTION. Sec. 45. In all appeals involving an informal hearing, the hearings board shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. In the case of appeals within the scope of this 1970 act the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board or any member thereof may deem necessary or appropriate; PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 46. In all appeals involving a formal hearing the hearings board shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the hearings board, and each member thereof, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. In the case of appeals within the scope of this 1970 act, the hearings board, or any members thereof, may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board, or any member thereof, may deem necessary or appropriate; PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 47. All proceedings, including both formal and informal hearings, before the hearings board or any of its members shall be conducted in accordance with such rules of practice and procedure as the hearings board may prescribe. The hearings board shall publish such rules and arrange for the reasonable distribution thereof.

NEW SECTION. Sec. 48. Judicial review of a decision of the hearings board shall be de novo except when the decision has been rendered pursuant to a formal hearing elected under the provisions of this 1970 act, in which event judicial review may be obtained only

pursuant to RCW 34.04.130 and RCW 34.04.140. The director shall have the same right of review from a decision made pursuant to section 41 of this 1970 act as does any person.

NEW SECTION. Sec. 49. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW or on the board as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's decision and order. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. No bond shall be required on appeals to the superior court or on appeals to the supreme court unless specifically required by the judge of the superior court.

NEW SECTION. Sec. 50. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after a formal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the court of appeals pursuant to the provisions of RCW 34.04.130(6). Such appeal may be perfected by filing with the clerk of the court of appeals a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, and on the board. The hearings board shall serve upon the appealing party, the director, and any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the hearings board's decision and order which shall become the record in such case. No bond shall be required on appeals to the court of appeals or on appeals to the supreme court unless specifically required by the judge of the court of appeals.

NEW SECTION. Sec. 51. When the proceeding is at issue, a hearing will be had only upon demand. Either party may demand a hearing by filing a written request therefor. The demand shall include an estimate of time that will be required to hear the matter. The hearings boards shall thereupon fix the time and place for hearing: PROVIDED, That all hearings shall be commenced within thirty days of the filing of the appeal: PROVIDED, FURTHER, That extensions of time, continuances and adjournments may be ordered by the hearings board only upon motion of all parties, filed in writing and shall not in any case exceed a period greater than six months.

NEW SECTION. Sec. 52. No provision of this chapter shall be construed to change existing law relating to the staying of orders or decisions pending final determination of any hearing or appeal taken in accordance with the provisions herein.

NEW SECTION. Sec. 53. Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department under the provisions of this 1970 amendatory act may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department or air pollution authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the air pollution authority, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one.

NEW SECTION. Sec. 54. Notwithstanding any other powers, duties and functions transferred by the provisions of this act, the department shall only have authority to hold public hearings, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, with respect to those matters enumerated in sections of this 1970 amendatory act.

NEW SECTION. Sec. 55. Sections 31 through 54 shall constitute a new chapter in Title 43 RCW.

Sec. 56. Section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141 are each amended to read as follows:

The board of any activated authority in addition to any other powers vested in them by law, shall have power to:

(1) Adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing this chapter and consistent with it, after consideration at a public hearing held in accordance with chapter 42.32 RCW.

(2) Hold hearings relating to any aspect of or matter in the administration of this chapter not prohibited by the provisions of chapter —, (ESB No. 1), Laws of 1970 1st ex. sess. and in connection therewith issue subpoenas to compel the attendance of witnesses and

the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings *subject to the rights of appeal as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.*

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within its jurisdiction.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter.

(8) Encourage and conduct studies, investigation and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advice, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed or relieve any person from compliance with this chapter, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of this chapter.

Sec. 57. Section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the board or the control officer may require that the alleged violator or violators appear before the hearings board as provided for in chapter — (ESB No. 1), Laws of 1970 1st ex. sess. for a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended, or in addition to or in place of an order or hearing, the hearings board created therein [or control officer] may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435.

Sec. 58. Section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221 are each amended to read as follows:

[(1)] Any order issued by the board or by the control officer, [which is not preceded by a hearing,] shall become final unless [, no later than twenty days after the date the notice and order are served, the person aggrieved by the order petitions for a hearing before the board. Upon receipt of the petition, the board shall hold a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended.

(2) If, after a hearing held as a result of a petition to the board by a person aggrieved by an order, the board finds that a violation has occurred or is occurring, it shall affirm or modify the order previously issued, or if the finding made is that no violation has occurred or is occurring, the order shall be rescinded. If, after a hearing held in lieu of an order, the board finds that a violation has occurred or is occurring, it shall issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective actions as may be appropriate. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(3) Any hearings held under this section or under RCW 70.94.181 shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended] such order is appealed to the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 59. Section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, [a petition requesting judicial review is filed in accordance with provisions of chapter 34.04 RCW as now or hereafter amended] a notice of appeal is filed with the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 60. Section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

- (1) "City" means every incorporated city and town.
- (2) "Committee" means the solid waste advisory committee.
- (3) "Department" means the department of [environmental quality] *ecology*.
- (4) "Director" means the director of the department of [environmental quality] *ecology*.
- (5) "Disposal site" means the location where any final treatment, utilization, processing, or depositary of solid waste occurs.
- (6) "Functional standards" means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.
- (7) "Jurisdictional health department" means city, county, city-county, or district public health department.
- (8) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.
- (9) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, ashes, industrial wastes, *swill*, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded [home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded materials] *commodities*.
- (10) "Solid waste handling" means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes.

NEW SECTION. Sec. 61. The provisions of this act shall not impair or supersede the powers or rights of any person, committee, association, public, municipal or private corporations, state or local governmental agency, federal agency, or political subdivision of the state of Washington under any other law except as specifically provided herein. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste materials of this state are not changed hereby and the laws governing the same are to be protected and preserved.

NEW SECTION. Sec. 62. Wherever in the statutes of this state, including any enactment of this 1970 extraordinary session, the department of environmental quality is referred to such reference shall mean the state department of ecology created herein.

NEW SECTION. Sec. 63. Sections 1 through 10, 12 through 27, 62 and 64 shall constitute a new chapter in Title 43 RCW and shall be known and cited as the 'Environmental Quality Reorganization Act of 1970'.

NEW SECTION. Sec. 64. This 1970 amendatory act shall take effect on July 1, 1970.

NEW SECTION. Sec. 65. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected."

Signed by: Senators Durkan, Elicker and Greive; Representatives Flanagan, Julin and Gallagher.

On motion of Senator Greive, the report of the Free Conference Committee on Engrossed Senate Bill No. 1 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Huntley, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Twigg, Walgren, Washington, Williams, Wilson, Woodall—44.

Absent or not voting: Senators Cooney, Herr, Keefe, Talley—4.

Excused: Senator Stender—1.

ENGROSSED SENATE BILL NO. 1, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. Speaker:
Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 158, including certain nonprofit organizations in definition of "debt adjuster," have had the same under consideration, and we recommend that the House concur in the Senate amendments.

Signed by: Senators Connor, Williams and Greive; Representatives Shera and Bottiger.

On motion of Senator Greive, the report of the Conference Committee on House Bill No. 158 was adopted.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 317, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:
Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 317 be amended as follows:

In line 3 of the title after the semicolon after "43.83.090" strike the remainder of the title and insert: "amending section 3, chapter 192, Laws of 1951 as amended by section 3, chapter 84, Laws of 1963 and RCW 36.88.030; amending section 36.88.140, chapter 4, Laws of 1963 and RCW 36.88.140; and providing for the submission of certain sections of this act to a vote of the people."

On page 1, line 19, of the engrossed bill, strike "*but not in excess of twelve percent per annum,*"

On page 2, beginning on line 4, following section 1 strike the remainder of the act and insert the following:

"Sec. 2. Section 3, chapter 192, Laws of 1951 as amended by section 3, chapter 84, Laws of 1963 and RCW 36.88.030 are each amended to read as follows:

In case the board of county commissioners shall desire to initiate the formation of a county road improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed road improvement district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, [stating the average number of units as defined and allowed in RCW 36.88.010 per one thousand feet of property fronting upon the portion of road to be improved.] notifying the owners of property therein to appear at a meeting of the board at the time specified in such resolution, and directing the county road engineer to submit to the board at or prior to the date fixed for such hearing a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby and the estimated amount of the cost and expense of such improvement to be borne by each lot, tract or parcel of land or other property, and also designating thereon all property which is being purchased under contract from the county. The resolution of intention shall be published in at least two consecutive issues of a newspaper of general circulation in such county, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of county commissioners.

Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract or parcel of land or other property within the proposed improvement district by mailing said notice to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon at least fifteen days before the date fixed for the public hearing. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost

and expense of such improvement to be borne by the particular lot, tract or parcel, the date and place of the hearing before the board of county commissioners, and shall contain the directions hereinafter provided for voting upon the formation of the proposed improvement district.

The clerk of the board shall prepare and mail, together with the notice above referred to, a ballot for each owner or reputed owner of any lot, tract or parcel of land within the proposed improvement district. This ballot shall contain the following proposition:

“Shall county road improvement district No. be formed?
Yes
No ”

and, in addition, shall contain appropriate spaces for the signatures of the property owners, and a description of their property, and shall have printed thereon the direction that all ballots must be signed to be valid and must be returned to the clerk of the board of county commissioners not later than five o'clock p.m. of a day which shall be one week after the date of the public hearing.

The notice of adoption of the resolution of intention shall also contain the above directions, and, in addition thereto, shall state the rules by which the election shall be governed.

Sec. 3. Section 36.88.140, chapter 4, Laws of 1963 and RCW 36.88.140 are each amended to read as follows:

The board shall prescribe by resolution within what time such assessment or installments thereof shall be paid, and shall provide for the payment and collection of interest at a rate not to exceed [six] eight percent per annum on that portion of any assessment which remains unpaid over thirty days after such date. Assessments or installments thereof which are delinquent, shall bear, in addition to such interest, such penalty not less than five percent as shall be prescribed by resolution. Interest and penalty shall be included in and shall be a part of the assessment lien. All liens acquired by the county hereunder shall be foreclosed by the appropriate county officers in the same manner and subject to the same rights of redemption provided by law for the foreclosure of liens held by cities or towns against property in local improvement districts.

NEW SECTION. Sec. 4. In the event all of the bonds authorized by RCW 43.83.090 through RCW 43.83.100, have not been issued on or before September 2, 1970, then sections 1, 4 and 5 of this amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1970, in accordance with the provisions of section 3, Article VIII of the state Constitution; and in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

NEW SECTION. Sec. 5. Amendatory section 1 of this 1970 amendatory act shall not become effective unless sections 1, 4 and 5 of this act are adopted and ratified at the referendum election provided for in section 4 of this act.

NEW SECTION. Sec. 6. All revenue bonds, the issuance of which was authorized or ratified at a general or special election held within the issuing jurisdiction prior to the effective date of this amendatory act or the proposition for the issuance of which will be submitted at such an election pursuant to action of the legislative authority of the issuer taken prior to the effective date of this amendatory act, may be sold and issued with an interest rate or rates greater than any interest rate restriction contained in the ballot proposition or ordinance or resolution relating to such authorization or ratification.

NEW SECTION. Sec. 7. All debts, contracts and obligations heretofore made or incurred by or in favor of the state, state agencies, state colleges and universities, and the political subdivisions, municipal corporations and quasi municipal corporations of this state, are hereby declared to be legal and valid and of full force and effect from the date thereof, regardless of the interest rate borne by any such debts, contracts and obligations.”

Signed by: Senators Dore, Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

On motion of Senator Ryder, the report of the Free Conference Committee on Engrossed Senate Bill No. 317 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 317, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-47.

Absent or not voting: Senator Day-1.
Excused: Senator Stender-1.

ENGROSSED SENATE BILL NO. 317, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 318, and said report with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:
Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 318, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people, have had the same under consideration, and we recommend that the Senate concur in the House amendment.

Signed by: Senators Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

On motion of Senator Ryder, the report of the Conference Committee on Engrossed Senate Bill No. 318 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 318, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-46.

Voting nay: Senator Gissberg-1.

Absent or not voting: Senator Peterson (Lowell)-1.

Excused: Senator Stender-1.

ENGROSSED SENATE BILL NO. 318, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 10, 1970.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 21 and asks the Senate to recede therefrom and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Greive, the Senate receded from the Senate amendments to Engrossed House Bill No. 21.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 21 and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Dore, Elicker, Faulk, Francis, Greive, Herr, Holman, Lewis (Brian), Lewis (Harry), McDougall, Marquardt, Matson, Metcalf, Newschwander, Peterson (Ted), Pritchard, Ridder, Ryder, Stortini, Twigg, Walgren, Williams, Woodall—29.

Voting nay: Senators Day, Donohue, Durkan, Foley, Gissberg, Guess, Henry, Huntley, Keefe, Knoblauch, McCormack, McCutcheon, Mardesich, Odegaard, Peterson (Lowell), Sandison, Talley, Washington, Wilson—19.

Excused: Senator Stender—1.

ENGROSSED HOUSE BILL NO. 21, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

LETTER OF INFORMATION

TO WHOM IT MAY CONCERN:

It has been brought to my attention that I was recorded as voting "Nay" on the roll call on final passage of Engrossed House Bill No. 21.

I voted "Yea" and apparently the error was caused due to the confusion surrounding the desk of the reader at the time the roll was called. It was on the last day of the session and there was considerable noise at the time the reader was calling the roll.

It should be noted that I voted for the bill as it left the Senate amended on February 9, 1970. Although the House chose to strike the amendments by the Senate, I voted for the bill with or without the amendments.

This is my notice to anyone concerned that I have always and did support this legislation and did vote "Yea" on the final roll call on Engrossed House Bill No. 21 on February 12, 1970.

(signed) Senator Reuben Knoblauch.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 33 and has passed the bill with the Senate amendments (except the Senate amendments on page 3, section 1, between lines 27 and 28; on page 4, section 1, line 18; on page 7, section 2, line 2; on page 16, section 4, between lines 16 and 17) and the report of the Conference Committee is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred Engrossed Substitute House Bill No. 33, making appropriations, have had the same under consideration, and we recommend that the Senate recede from its amendments on page 3, section 1, between lines 27 and 28; on page 4, section 1, line 18; on page 7, section 2, line 2; and on page 16, section 4, between lines 16 and 17; that the remaining Senate amendments be accepted and that the bill be passed.

Signed by: Senators Durkan and Atwood; Representatives Goldsworthy and Saling.

Senator Durkan moved that the report of the Conference Committee be adopted.

POINT OF INQUIRY

Senator Mardesich: "Will Senator Durkan yield? Senator, I notice that one of the deletions that the Conference Committee made was the ten thousand dollar appropriation for the establishment and the beginning of operations of the Vocational-Technical School at Payne Field.

"In view of the fact that the budget is totally pressed for capital funds and in view of the fact that there are a large number of facilities available there which would preclude the requiring more state capital funds for building, what was the reason for the turning down of this legitimate request which would in the long run save the state money?"

Senator Durkan: "Mr. President and members of the Senate, the reason for the turndown of the twelve million, the reason of the turn down for the appropriation at Payne Field and the reason for the turn down of the funding of the auditor simply was that the majority party in the House of Representatives told us they would not sign the bill unless they were taken out."

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Will Senator Durkan yield? Senator, in reading section six, page sixteen of Engrossed Substitute House Bill No. 33, in order for the reports prepared by the department of revenue to be on a consistent time basis with the treasurer's computation of state aid, should not the reports prepared by the department of revenue be on the basis of accrued revenue collected rather than on the basis of sales or use tax revenue distributed back to the cities and towns? It would also appear that if the city participated for only one month in the local sales tax program, the quarterly computation by the treasurer should be based upon the same period of time. Is this understanding correct?"

Senator Durkan: "The answer to both of your questions is yes. Mr. President, may I read for the purpose of the record? 'It is the intent of this section that three hundred thousand dollars be distributed to those cities and towns who, although they enact a local sales tax, will not receive an amount of revenue comparable to that which they would have received as distributed by the state. It is further the intent of this section that in order to assure these cities and towns receive this revenue that the department of revenue and the state treasurer must take into account comparable time periods and number of months of participation in their computations of the amount of state aid to be allocated.'

"Mr. President, the reason for this is the fact that House Bill No. 33 could not have been amended unless it was put into free conference. It was not put into free conference."

The motion carried and the report of the Conference Committee was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 33, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Durkan, Elicker, Faulk, Foley, Gissberg, Henry, Herr, Holman, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Metcalf, Odegard, Peterson (Lowell), Peterson (Ted), Ryder, Sandison, Stortini, Walgren, Washington, Williams, Wilson—28.

Voting nay: Senators Connor, Day, Donohue, Dore, Francis, Greive, Guess, Huntley, Keefe, McCormack, McCutcheon, Mardesich, Marquardt, Matson, Newschwander, Pritchard, Ridder, Talley, Twigg, Woodall—20.

Excused: Senator Stender—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 232, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 232, by Committee on Revenue and Taxation:

Repealing B & O exemption as to financial institutions.

On motion of Senator McCormack, the rules were suspended, Engrossed Substitute House Bill No. 232 was advanced to second reading and read the second time in full.

On motion of Senator McCormack, the rules were suspended, Engrossed Substitute House Bill No. 232 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 232, and the bill passed the Senate by the following vote: Yeas, 34; nays, 11; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Knoblauch, McCormack, McCutcheon, McDougall, Marquardt, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Washington, Williams, Wilson—34.

Voting nay: Senators Cooney, Day, Guess, Keefe, Lewis (Brian), Mardesich, Matson, Newschwander, Talley, Twigg, Walgren—11.

Absent or not voting: Senators Bailey, Lewis (Harry), Woodall—3.

Excused: Senator Stender—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 232, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House passed ENGROSSED SENATE BILL NO. 13 with the following amendments:

An Act relating to revenue and taxation; amending section 28A.45.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.010; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; adding a new section to chapter 62, Laws of 1933 ex. sess., as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and to chapter 66.24 RCW; amending section 34, chapter 26, Laws of 1967 ex. sess., and RCW 82.03.050; amending section 82.04.290, chapter 15, Laws of 1961, as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290; amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 23, chapter 149, Laws of 1967 ex. sess. and RCW 82.12.030; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and declaring an effective date.

On page 2, line 25 after section 1 insert a new section as follows:

"Sec. 2. Section 34, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.050 are each amended to read as follows:

The board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the board shall operate on a full time basis, each member of the board shall receive an annual salary to be determined by the governor. If it is determined that the board shall operate on a part time basis, each member of the board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: PROVIDED, HOWEVER, That such compensation shall not exceed [seventy-five hundred] *ten thousand* dollars in a [calendar] *fiscal* year. Each board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of one percent.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a

particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 4. Section 82.04.290, chapter 15, Laws of 1961, as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.260, 82.04.270, 82.04.275, *section 3 of this 1970 amendatory act* and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of one percent: PROVIDED, That upon and after the effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.* which impose a tax upon net income, the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of twenty-two one hundredths of one percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 5. Section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430 are each amended to read as follows:

In computing tax there may be deducted from the measure of tax the following items:

(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial business, from investments or the use of money as such;

(2) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees, charges made for operation of privately operated kindergartens, and endowment funds. This paragraph shall not be construed to exempt any person, association, or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. Dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder;

(3) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of RCW 82.04.450;

(4) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(5) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the state or the United States government upon the sale thereof;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived by any person as compensation for the receiving, washing, sorting, and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in RCW 82.04.330, either as agent or as independent contractor;

(8) Amounts derived as compensation for services rendered or to be rendered to patients by a hospital, as defined in chapter 70.41, devoted to the care of human beings with respect to the prevention or treatment of disease, sickness, or suffering, when such hospital is operated by the United States or any of its instrumentalities, or by the state, or any of its political subdivisions;

(9) Amounts derived as compensation for services rendered to patients by a hospital, as defined in chapter 70.41, which is operated as a nonprofit corporation, nursing homes and homes for unwed mothers operated as religious or charitable organizations, but only if no part of the net earnings received by such an institution inures directly or indirectly, to any person other than the institution entitled to deduction hereunder. In no event shall any such deduction be allowed, unless the hospital building is entitled to exemption from taxation under the property tax laws of this state.

(10) *Amounts derived by a political subdivision of the state of Washington from another political subdivision of the state of Washington as compensation for services which are within the purview of RCW 82.04.290.*

Sec. 6. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce: PROVIDED, That the purchaser must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use

outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

Sec. 7. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 23,

chapter 149, Laws of 1967 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are

loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 or chapter 82.12.

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services.

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of pollen.

(21) *In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.*

NEW SECTION. Sec. 8. Section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210 are each amended to read as follows:

There is hereby imposed upon all wines sold [to retail licensees] within the state a tax of [ten] ninety cents per wine gallon: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one [domestic] winery to another [domestic] winery shall not be subject to such gallonage tax. The tax herein provided for may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on gallonage sales. Every person selling wine under the provisions of this section shall report all sales to the board in such manner, at such times and upon such forms as may be prescribed by the board in accordance with RCW 66.24.230, and with such report shall pay the tax due from the sales covered by such report unless the same has previously been paid. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel his license until all taxes are paid.

NEW SECTION. Sec. 9. There is hereby added to chapter 62, Laws of 1933 ex. sess., as last amended by section 3, chapter 21, Laws of 1969 ex. sess., and to chapter 66.24 RCW, a new section to read as follows:

There is hereby imposed upon every licensed wine wholesaler who possesses wine for resale upon which the tax has not been paid under section 8 of this 1970 amendatory act, a floor stocks tax of eighty cents per wine gallon on wine in his possession or under his control on July 1, 1970. Each such wholesaler shall within twenty days after July 1, 1970, file a report with the Washington state liquor control board in such form as the board may prescribe, showing the wine products on hand July 1, 1970, converted to gallons thereof

and the amount of tax due thereon. The tax imposed by this section shall be due and payable within twenty days after July 1, 1970, and thereafter bear interest at the rate of one percent per month.

Sec. 10. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, [wine,] or strong beer in the original package at the rate of ten percent of the selling price, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale for resale to the holder of a class C, class F, class H or combined class C and class F license issued by the Washington state liquor control board [: PROVIDED, That from and after July 1, 1969 the tax upon each retail sale of wine under this subsection (1) shall be at the rate of twenty-six percent of the selling price]. The tax imposed in this section shall apply to all sales of spirits, [wine,] or strong beer by the Washington state liquor stores and agencies, including sales to licensees [, but shall not apply to sales of wine in the unopened bottle by licensees who have paid the tax imposed by this subsection (1) to their vendors on the acquisition of such wine]. The tax imposed in RCW 82.08.220 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, or strong beer in the original package at the rate of five percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, or strong beer by the Washington state liquor stores and agencies, excluding sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this paragraph.

(3) There is levied and shall be collected from and after the first day of June, 1965, an additional tax upon each retail sale of spirits in the original package at the rate of two cents per fluid ounce or fraction thereof contained in such original package, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits by the Washington state liquor stores and agencies, including sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state department of revenue, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit them in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 66.08 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.

(4) As used in this section, the terms, "spirits," [wine,] "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04."

Remember the remaining sections consecutively,
and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Peterson (Ted) moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 13.

POINT OF ORDER

Senator Metcalf: "I raise the question of the scope and object of the bill. As I read the title of Senate Bill No. 13, it is 'an act relating to real estate excise taxes amending section. . . ' and so forth."

RULING BY THE PRESIDENT

The President: "Senator Metcalf has raised the point of order that the House amendments to Senate Bill No. 13 change the scope and object of the measure.

"Honored members of the Senate, the President could take approximately an hour and a half to two hours to study this particular question. Without going into details, the President conscientiously believes that the amendments do change the scope and object of Engrossed Senate Bill No. 13."

MOTIONS

On motion of Senator Durkan, Engrossed Senate Bill No. 13 was referred to the Committee on Ways and Means.

Senator McCormack moved that the Committee on Ways and Means be relieved of further consideration of Engrossed Senate Bill No. 13.

Debate ensued.

The motion by Senator McCormack carried.

Senator McCormack moved that Engrossed Senate Bill No. 13 be placed on second reading and read the second time in full.

Debate ensued.

Senators Bailey, McCormack and Greive demanded the previous question and the demand was sustained.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Talley, Connor, Foley, Stortini, Huntley, Metcalf, Newschwander, McDougall and Knoblauch.

ROLL CALL

The Secretary called the roll and the motion by Senator McCormack carried by the following vote: Yeas, 26; nays, 20; absent or not voting, 2; excused, 1.

Voting yea: Senators Atwood, Bailey, Cooney, Day, Donohue, Dore, Elicker, Faulk, Foley, Francis, Guess, Henry, Huntley, Knoblauch, McCormack, McDougall, Marquardt, Peterson (Ted), Pritchard, Ryder, Sandison, Twigg, Walgren, Washington, Williams, Woodall—26.

Voting nay: Senators Andersen, Canfield, Connor, Gissberg, Greive, Herr, Holman, Keefe, Lewis (Brian), McCutcheon, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Wilson—20.

Absent or not voting: Senators Durkan, Lewis (Harry)—2.

Excused: Senator Stender—1.

POINTS OF INQUIRY

Senator Dore: "Will Senator McCormack yield? What is the total financial impact of the bill? As I understand it, it is a million dollar loss on the enabling family corporations that transfer to each other in that category. It is a million dollar loss in the B & O category. That is per biennium. I think it is five hundred thousand dollars a year so that is a million dollars. It is a two million dollar loss of revenue here. Isn't that right?"

Senator McCormack: "No, Senator Dore, you are not correct. This bill is not the same bill you were dealing with in the Committee on Ways and Means yesterday in its entirety. That also included the B & O tax exemption for insurance agents. This impact on this would be between three and four hundred thousand dollars for this year so it would be somewhat less than a million dollars a biennium.

"On the other hand, the wine tax revenue would be about seven hundred thousand dollars additional revenue to the cities and counties of the state. In total, the bill comes fairly close to balancing out."

Debate ensued.

Senator McCutcheon: "Will Senator McCormack yield? How much do we lose on these three bills in just round figures?"

Senator McCormack: "Counting the state, cities and counties together, we gain."

Senator McCutcheon: "I thought you said we lost."

Senator McCormack: "The state general fund loses but the cities and counties gain. Senator McCutcheon, I want it completely understood I am not out here saying this bill is perfect or that I particularly appreciate having all of these things put in this bill. As chairman of this committee, it is my responsibility to make these points clear to you. I will make them clear once more.

"Under the real estate excise tax, the exemption of the B & O, the state loses to its general fund about four hundred thousand dollars per year. Under the wine tax, the cities and counties of the state gain about seven hundred thousand dollars so that the cities and counties will be gaining and the state will be losing."

Further debate ensued.

The motion by Senator Peterson (Ted) carried. The Senate concurred in the House amendments to Engrossed Senate Bill No. 13.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 13, as amended by the House, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keefe, Talley and Wilson demanded the previous question and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 13, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 34; nays, 11; absent or not voting, 3; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Donohue, Durkan, Elicker, Faulk, Foley, Francis, Greive, Henry, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McDougall, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Woodall-34.

Voting nay: Senators Andersen, Atwood, Day, Dore, Gissberg, Holman, McCutcheon, Mardesich, Metcalf, Ridder, Wilson-11.

Absent or not voting: Senators Guess, Lewis (Harry), Marquardt-3.

Excused: Senator Stender-1.

ENGROSSED SENATE BILL NO. 13, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 139, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 139, regulating surface mining, have had the same under consideration, and we recommend that the amendments adopted by the Free Conference Committee be adopted as follows:

On page 4, section 4, line 3, after "the" strike "department of natural resources" and insert "board of natural resources"

On page 5, section 5, line 8, after "5," strike the whole sentence ending with the word "act." on line 9 and insert "The board of natural resources is charged with the administration of this act by utilizing the services of the department of natural resources."

On page 5, section 5, line 16, after "which may" and before "es-" strike the comma.

On page 7, section 9, line 13, before "public highways" strike "adjacent".

On page 7, section 9, line 25, after "consolidated reclamation" and before "covering all" strike "plan" and insert "program".

On page 10, section 11, line 1, beginning with "Failure" strike all of the first paragraph to and including the word "appeal" on line 8, and insert:

"Failure to act within the twenty-five day period on the reclamation plan shall not be cause for a denial of a permit. The department shall set the amount of the bond or other security required for a provisional permit governing the surface mining operation set forth in the application. A provisional permit shall be granted pursuant to conditions prescribed by the department until a plan is approved as long as the operator complies with the bond or security requirements established by the department: PROVIDED, HOWEVER, That a provisional permit shall not be granted if the department considers the site unsuitable for surface mining.

If the department refuses to approve a reclamation plan in the form submitted by the operator, it shall notify the operator, in writing, stating the reasons for its refusal and listing such additional requirements to the operator's reclamation plan as are necessary for the approval of the plan by the department. Within thirty days, the operator shall either accept such additional requirements as part of the reclamation plan or file notice of appeal. If notice of appeal is filed by the operator, a provisional permit shall be granted as herein specified."

On page 16, following line 12, strike all of section 22.

Renumber the remaining sections consecutively.

Amend the title as follows:

On page 3 of the title following "of the" and before "of" strike "department" and insert "board"

Signed by: Senators Peterson (Lowell), Lewis (Harry) and Keefe; Representatives Newhouse and Zimmerman.

On motion of Senator Greive, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 139 was adopted.

Debate ensued.

POINT OF INQUIRY

Senator Guess: "Will Senator Peterson (Lowell) yield? Senator, you used an expression that I have not heard before, 'board of natural resources'."

Senator Peterson (Lowell): "Yes, Senator."

Senator Guess: "Can you describe what we are setting up now?"

Senator Peterson (Lowell): "We are not setting up anything, Senator. There is a board of natural resources that the Governor sits on and Bert Cole, the Land Commissioner. I am not too sure who all the members of the board are."

Senator Guess: "This is not a creation of another agency?"

Senator Peterson (Lowell): "No."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 139, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall—47.

Voting nay: Senator Gissberg—1.

Excused: Senator Stender—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 139, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 80, establishing a drug control unit within the board of

pharmacy, making an appropriation and declaring an emergency, have had the same under consideration, and we recommend that the attached bill be substituted therefor and that it do pass.

An Act relating to state government; adding new sections to chapter 43.43 RCW; making an appropriation; and declaring an emergency.

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

NEW SECTION. Section 1. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 2. The drug control assistance unit shall:

(1) Provide investigative assistance for the purpose of enforcement of the provisions of chapters 69.32 and 69.40 RCW.

(2) Provide laboratory services for the purpose of analyzing and scientifically handling any physical evidence relating to any crime.

(3) Provide training assistance for local law enforcement personnel.

NEW SECTION. Sec. 3. The drug control assistance unit shall:

(1) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws.

(2) Provide a communications network capable of interconnecting all offices and investigators of the unit.

NEW SECTION. Sec. 4. In order to maximize the efficiency and effectiveness of state resources, the drug control assistance unit shall, where feasible, use existing facilities and systems.

NEW SECTION. Sec. 5. Any investigators employed pursuant to subsection (1) of section 2 of this act shall be exempt from the state civil service act, chapter 41.06 RCW.

NEW SECTION. Sec. 6. The chief of the Washington state patrol may employ such criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act are added to chapter 8, Laws of 1965 and to chapter 43.43 RCW.

NEW SECTION. Sec. 8. (1) There is hereby created an advisory committee to the Washington state patrol composed of the following persons:

- (a) Chief of the Washington state patrol or his designee;
- (b) The president of the chiefs and sheriffs association or his designee;
- (c) The vice president of the chiefs and sheriffs association or his designee;
- (d) The president of the Washington state narcotic investigation association or his designee;
- (e) The president of the Washington state law enforcement association or his designee;
- (f) The executive secretary of the state board of pharmacy or his designee;
- (g) The director of the office of program planning and fiscal management or his designee.

(2) The advisory committee created herein shall cooperate with and advise the chief of the state patrol in the administration of this act.

(3) The advisory committee shall review this act and the administration thereof, shall consult with the legislative municipal committee, which committee shall report its recommendations for any changes of assignment of authority or any other matters pertaining to this act to the forty-second session of the legislature of the state of Washington in January, 1971.

NEW SECTION. Sec. 9. To carry out the provisions of this act there is appropriated to the Washington state patrol from the general fund for the biennium ending June 30, 1971, the sum of one hundred fifty thousand dollars, or so much there of as shall be necessary.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Signed by: Senators Walgren, Woodall and Day; Representatives Swayze, North and Rosellini.

On motion of Senator Walgren, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 80 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 80, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Faulk, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McCormack, McCutcheon, McDougall, Mardesich, Marquardt, Matson, Metcalf, Newschwander,

Odegaard, Peterson (Lowell), Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Williams, Wilson, Woodall-48.

Excused: Senator Stender-1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PARLIAMENTARY INQUIRY

Senator Gissberg: "What time do you have? Under the resolution, what further matters can be considered in your opinion, Mr. President?"

REPLY BY THE PRESIDENT

The President: "Senator Gissberg, the President has all the time in the world. The concurrent resolution is such that the President believes that only such matters pertaining to clerical work, enrolling, engrossing and so forth can be permitted from this point on."

PARLIAMENTARY INQUIRY

Senator Gissberg: "Is that your ruling, Mr. President?"

REPLY BY THE PRESIDENT

The President: "Yes, sir, Senator Gissberg."

MOTIONS

Senator Pritchard moved that the rules be suspended and the Senate committee amendment to Senate Bill No. 122 be removed from the Committee on Ways and Means and brought immediately to the floor.

Senator Greive moved that the motion by Senator Pritchard be laid upon the table.

RULING BY THE PRESIDENT

The President: "Senator Pritchard, the President believes that the motion is really and truly superfluous."

POINT OF INFORMATION

Senator Bailey: "Your ruling on Senator Gissberg's question, this does not preclude the closing out resolutions of the Senate?"

REPLY BY THE PRESIDENT

The President: "No, sir, the President wished to include such necessary measures be considered to adjourn the Special Second Extraordinary Session of the Forty-first Legislature formally and legally."

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate the Honorable Daniel J. Evans, Governor of the state of Washington and appointed a special committee consisting of Senators Ryder, Atwood, Greive and Bailey to escort Governor Evans to a place of honor upon the rostrum.

PRESIDENT'S REMARKS

The President: "Honored members of the Senate, ladies and gentlemen, the President believes that this is the first time that the Senate Chamber has been graced with the presence of His Excellency, the Governor of the state of Washington, at least during the tenure of the present President. It is with great pride that the President at this time presents to you, the members of the Senate and to the ladies and gentlemen present in the galleries, the Honorable Daniel J. Evans, Governor of the state of Washington."

MESSAGE FROM THE GOVERNOR

Governor Evans: "Mr. President, members of the distinguished committee escorting me here and members of the Senate, this is, I suppose, a unique occasion but then this whole session has been unique. My daily contact with the Senate is usually to hear the fallout of what goes on up here with my office right downstairs. We have not always agreed on issues but I wanted to take this opportunity to personally come before this Senate to say to each one of you and to this entire body, as I have just had the same opportunity over in the House, to say thank you for a job, I think, exceedingly well down.

"Thirty-two days ago we joined in the session that was not looked forward to by very many. We all looked with some apprehension on what might happen during this second extraordinary session. It was an experiment. Certainly during these thirty-two days, there have been partisan differences but there has been, I think, a real spirit of bipartisanship. From the very first day until this thirty-second day, this legislature has worked harder, has dealt with more controversial issues and has had more in the way of accomplishment and production, I think, than any legislative session, regular or special, I can remember.

"The people of this state are well served by a legislature willing to deal with these issues and willing to provide for them through this special session an opportunity to vote on several extremely important issues, an opportunity to help those who have retired from education or governmental service by increased pension, to help by giving us new opportunity in government through reorganization to do a more effective job, to help by the passage of a high percentage of bills designed to increase environmental protection for the people of this state, to help by passing what I think will become a nationally recognized and known unemployment compensation act. In these and in many, many other ways, this Senate and the House have joined in serving the people of this state exceedingly well. While we have broken many precedents, first by the calling of this session and then by much that has happened during this session, I wanted to break a precedent on this last day, come up here and to say to each one of you, thank you."

PRESIDENT'S REMARKS

The President: "Thank you very much, Governor Evans. The members of the Senate and the President greatly appreciate your coming today to address us."

The committee of honor escorted the Honorable Daniel J. Evans from the Senate Chamber.

MESSAGES FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 201 and has passed the bill with the Senate amendments.
DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1970.

Mr. President: The Speaker has signed:
HOUSE BILL NO. 162,
HOUSE BILL NO. 253,
SUBSTITUTE HOUSE BILL NO. 312,
SUBSTITUTE HOUSE BILL NO. 318,
and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 1,
SENATE BILL NO. 13,
SENATE BILL NO. 80,
SUBSTITUTE SENATE BILL NO. 139,

SENATE BILL NO. 317,
 SENATE BILL NO. 318,
 HOUSE BILL NO. 162,
 HOUSE BILL NO. 253,
 SUBSTITUTE HOUSE BILL NO. 312,
 SUBSTITUTE HOUSE BILL NO. 318.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 13,
 SUBSTITUTE SENATE BILL NO. 80,
 SUBSTITUTE SENATE BILL NO. 139,
 SENATE BILL NO. 317,
 SENATE BILL NO. 318,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SENATE RESOLUTION: 1970-EX-39

By Senators Bailey and Ryder:

WHEREAS, The Second Extraordinary Session of the Forty-first Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the Second Extraordinary Session of the Forty-first Legislature and the commencement of the Forty-second Regular Session;

NOW, THEREFORE, BE IT RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to complete the work of the session, to reply to and give necessary attention to correspondence and other details arising therefrom, and to accomplish such purpose that he be allowed additional compensation at his regular per diem rate therefor for a period of thirty days; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized to retain such employees as he may deem necessary and that said employees be allowed such per diem rate of pay therefor as the Secretary of the Senate and the President of the Senate shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn from funds provided therefor for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is, authorized and directed to have a copy of the Senate Journal of the Second Extraordinary Session of the Forty-first Legislature, together with a suitable index therefor, prepared by the State Printer, and that he, as salary for his work in compiling, editing and indexing the printed journal, be paid the sum of six hundred dollars, said amount to be paid from the Senate legislative appropriation, the State Treasurer being hereby authorized and directed to issue a warrant when the printer shall certify that the reading of the proof on the journal index has been completed and the same found to be correct; and

BE IT FURTHER RESOLVED, That after the close of the session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this Second Extraordinary Session of the Forty-first Legislature in closing the business of such session, in providing for the interim period between the closing of such session and the convening of the next regular or special session of the legislature and in the preparation for such convening; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to see that the Senate Chambers and adjoining rooms, furniture and equipment are clean and in good order, and for this purpose the Sergeant at Arms be allowed, after the closing of the session, for the completion of his work with the Second Extraordinary Session of the Forty-first Legislature, fifteen days at his regular per diem rate therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate collect the keys to desks and rooms in and surrounding the Senate Chamber and change, or cause to be changed, the locks on any and all doors and desks and drawers in the interest of security, and that he further take charge of all equipment, files, books and records in all rooms in and adjoining the Senate Chamber, except in the Lieutenant Governor's office; and

BE IT FURTHER RESOLVED, That the Senate Chamber, committee rooms, work rooms, lounges, post office, bill room, storage rooms and the Sergeant at Arms offices, and all other rooms in and adjacent to the Senate Chamber except the Lieutenant Governor's office, together with the first floor of the legislative building at the east portion of said

floor, and the fourth floor of the public lands building be placed in the custody, care and control of the Senate Facilities and Operations Committee and the Secretary of the Senate, and where any use of the Senate Chamber is granted requiring the attendance of the Secretary, that in addition to such salary as he may then be drawing he be allowed statutory expenses therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers in the event of a bereavement in a Senator's family; and

BE IT FURTHER RESOLVED, That the use of the chamber shall not be granted for other than legislative purposes; and

BE IT FURTHER RESOLVED, That such use of the chamber and rooms for a YMCA Youth Legislature is permitted upon such terms as the Secretary shall deem proper; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and he is hereby directed to draw his warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the Senate, the elected officers of the Senate, and the retained employees each month upon vouchers signed by the members, officers or employees and approved by the President of the Senate or President Pro Tempore of the Senate and by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto; and

BE IT FURTHER RESOLVED, That the President Pro Tempore of the Senate, the Vice President Pro Tempore of the Senate, the Senate majority floor leader and the present and past Senate minority floor leaders, the majority and minority whips, and majority and minority caucus chairmen and caucus secretaries, are each authorized to attend the annual meetings of the National Conference of State Legislative Leaders, and to receive therefor their actual necessary expenses, and such per diem as may be authorized by law, to be paid upon their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That all accounts payable incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses of the Second Extraordinary Session of the Forty-first Legislature of the state of Washington, and which are presented for payment after adjournment of the second extraordinary session of the Forty-first Legislature, before payment is authorized, must bear the approval of the President or President Pro Tempore of the Senate, and the Secretary of the Senate; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he is hereby authorized and directed to attend the session of the National Legislative Conference of the Council of State Governments, and while in attendance upon such conference he shall be allowed compensation at his regular per diem rate together with actual necessary expenses, to be paid on his voucher out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That upon a call for a special session the Secretary of the Senate be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding fifteen in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he hereby is authorized and directed, during not more than sixty days prior to the opening of the next regular session of the legislature, and preceding the opening of special sessions, to hire necessary employees, to prepare the work rooms and committee rooms, members' offices for occupancy and use in sufficient time to make them available, helpful and beneficial to the members, and to procure in connection therewith sufficient supplies, including Senate Dockets, and an adequate number of Reed's Parliamentary Rules and legislative manuals, to enable the Senate to commence its work as promptly as possible, and for such purposes that he be allowed compensation at his regular per diem rate therefor; and

BE IT FURTHER RESOLVED, That during the interim between thirty days following the conclusion of the Second Extraordinary Session of the Forty-first Legislature and the sixty or less days preceding the opening of the Forty-second Regular Session, exclusive however of such time prior, during or after a special session as he may be upon regular per diem rate of compensation, the Secretary of the Senate be compensated for his services in handling correspondence, preparing payrolls, processing vouchers, and performing such other services as may be required, at a monthly salary of four hundred dollars; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to do the necessary work during the interim and in connection with the opening of the Forty-second Regular Session and that for such work he be allowed a salary of \$150.00 per month; and

BE IT FURTHER RESOLVED, That upon a call for a special session, for necessary work in preparation for the opening of such session the Sergeant at Arms be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding fifteen in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and he hereby is, directed to draw his warrants for the payment of salaries and/or per diem of the Secretary of the Senate, of the Sergeant at Arms and of necessary employees each month upon vouchers signed by the President of the Senate or the President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto; and

BE IT FURTHER RESOLVED, That all of the powers and duties conferred upon the

officers of the Senate pursuant to the foregoing provisions of this resolution shall be subject to the prior advice and consent of the Senate Facilities and Operations Committee which committee, in addition to the powers granted thereto by the provisions of Senate Resolution 1969 Ex. 44, are hereby empowered to:

- (1) Review, provide for, and control Senate personnel and policies; and
- (2) Approve expenditures from appropriations to the Senate.

On motion of Senator Greive, the resolution was adopted.

MOTION

On motion of Senator Mardesich, the Senate returned to the second order of business.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 133, providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof, have had the same under consideration, and we recommend that the bill be passed without the House amendments.

Signed by: Senators Mardesich and Gissberg; Representative Sawyer.

PERSONAL PRIVILEGE

Senator Mardesich: "Mr. President, I have tendered to the Secretary of the Senate a partially completed report of the Conference Committee on Engrossed Substitute Senate Bill No. 133 providing for Washington Life Insurance Guaranty Association. I have supplied a copy of the return as signed to the Secretary so that it might become a part of the record, so that there would be no question but what certain members of that Conference Committee were willing to pass the bill in its original form, that portion relating to the Life Insurance Guaranty Fund and would have done so but for the position of the other members who insisted that certain matters relating to open filing of insurance rating be included."

SENATE RESOLUTION: 1970-EX-40

By Senators Greive, Atwood, Bailey and Ryder:

WHEREAS, We, the members of the Senate, have had present with us as co-laborers during the second extraordinary session of the Forty-first legislature not only the members of the House of Representatives but also representatives of the press, radio and television; and

WHEREAS, The visiting newspaper correspondents of the various public journals of the state and representatives of the various television channels and radio stations have, by their frequent courtesies, their close attention to business, and their careful account of the proceedings, worked, as we have striven to do, for the best interests of the people of the state of Washington, always with a kindly fellow feeling and with loyalty to the papers, the television channels, and radio stations they represent; and

WHEREAS, The allied Daily Newspapers of Washington, during said session, has supplied each Senator with daily complimentary copies of two Washington dailies of the Senator's choice;

NOW, THEREFORE, BE IT RESOLVED, That the Senate extends its thanks for these courtesies and good will, its praise for good work well done, and the hope that in the Forty-second Legislature all may meet again and renew old friendships.

On motion of Senator Greive, the resolution was adopted.

SENATE RESOLUTION: 1970-EX-41

By Senators Bailey, Ryder, Greive and Atwood:

BE IT RESOLVED, That all bills, resolutions and memorials in the hands of the Secretary of the Senate, committees or committee clerks be indefinitely postponed.

On motion of Senator Bailey, the resolution was adopted.

JOURNAL OF THE SENATE

SENATE RESOLUTION: 1970-EX-42

By Senators Bailey, Greive, Ryder and Atwood:

BE IT RESOLVED, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn *SINE DIE*.

On motion of Senator Bailey, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1970-EX-42, the President appointed Senators Day, Talley and Guess to serve as a committee of three to notify the House that the Senate is ready to adjourn *SINE DIE*.

MESSAGES FROM THE HOUSE

February 12, 1970.

Mr. President: The House has adopted the report of the Conference Committee on HOUSE BILL NO. 158 and has passed the bill with the Senate amendments.

MALCOLM McBEATH, Chief Clerk.

February 12, 1970.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 21,

SUBSTITUTE HOUSE BILL NO. 33,

HOUSE BILL NO. 127,

HOUSE BILL NO. 158,

HOUSE BILL NO. 173,

HOUSE BILL NO. 201,

SUBSTITUTE HOUSE BILL NO. 232,

and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 21,

SUBSTITUTE HOUSE BILL NO. 33,

HOUSE BILL NO. 127,

HOUSE BILL NO. 158,

HOUSE BILL NO. 173,

HOUSE BILL NO. 201,

SUBSTITUTE HOUSE BILL NO. 232.

MESSAGES FROM THE HOUSE

February 12, 1970.

Mr. President: The Speaker has signed SENATE BILL NO. 1, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 12, 1970.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 9, by Representative Bledsoe:

Relating to adjournment *SINE DIE*.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 9 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, the resolution was placed on final passage and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed, under the provisions of House Concurrent Resolution No. 9, Senators Sandison, McCormack and Ryder as the committee of three members from the Senate to notify the Governor that the Senate was about to adjourn *SINE DIE*.

MOTION

On motion of Senator Greive, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 1970.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE CONCURRENT RESOLUTION NO. 9.

COMMITTEE FROM THE HOUSE

The Sergeant at Arms announced the arrival of a committee from the House of Representatives.

The committee from the House comprised of Speaker Eldridge, Representatives Copeland and Wolf appeared before the bar of the Senate to notify the Senate that the House was about to adjourn *SINE DIE*.

The report was received.

PERSONAL PRIVILEGE

Speaker Eldridge: "With the leave of the President, might the Speaker have a word or two with the members of the Senate? Mr. President, members of the Senate, my hearty thanks and congratulations to you on your discerning discrimination in the recent action that you took today. I want to thank you for the kind remarks that were addressed in my behalf. I can say that the door will always be open to the members of the Senate. Thank you very much."

PRESIDENT'S REMARKS

The President: "Thank you very much, Mr. Speaker. The members of the Senate and the President wish to offer you their heartiest congratulations and best wishes for your continued success."

The committee retired.

PRESIDENT'S PRIVILEGE

The President: "Honored members of the Senate, ladies and gentlemen, at this time the President should like to present the newest and most beautiful member of the legislative family, Miss Crystal Angela Kink. The members of the Senate and the President wish to express the deepest appreciation and gratitude to Mrs. Hazel Matheny for taking such good care of us the past thirty-two days and many days in the past and to also introduce her handsome husband, Al. Tomorrow, Senator Huntley has reminded us, is Hazel's birthday so I do not think it would be premature to sing 'Happy Birthday'. We would also like to express a deep word of appreciation to Mrs. Riley for her splendid help too and all the fabulous cooking.

"The members of the Senate and the President wish to extend their deepest appreciation and thanks to the wonderful staff that we have had here on the rostrum; Elmo Fading, Jerry Hagen, Verne Sawyer, Dorothy Greeley, Andre Wooton and the members of the press corps. Thank you for your cooperation."

PERSONAL PRIVILEGE

Senator Knoblauch: "Mr. President, I think I can speak for all the members of this Senate in saying to John Cherberg, thank you, John, for a job well done."

REPLY BY THE PRESIDENT

The President: "Thank you very much. Thank you ever so much. To the members of the sergeant at arms staff and all of the personnel, you have our deepest appreciation. You have done a grand job in trying and unusual circumstances. I would like to have my wife, Betty, take a bow."

PERSONAL PRIVILEGE

Senator Woodall: "Mr. President, I heard the remarks of Senator Knoblauch. Being one from this side of the aisle, I would like to add my remarks. I have been here longer than any other member of the legislature on either side of the aisle or in either house. I want to say to you, sir, that in all of the time I have served I have never served under anyone fairer than you. I know that when you stand up there and there are five, six, or seven people yelling 'Mr. President' you have a right to turn off either ear you want or both and you have a right to look either way. From this side of the aisle, I want to say that you looked to this side of the aisle the full share that we are entitled to. I want to tell you that I have served under many speakers and served under you here in the Senate. I will wish to join with the remarks from my good friend, Senator Reuben, and say that you have been ultimately fair."

REPLY BY THE PRESIDENT

The President: "Thank you, Senator Woodall and gentlemen of the Senate. I deeply appreciate your remarks, Senator, and those of Senator Knoblauch too. I will accept them in the same good spirit in which they are offered. There is only one thing I would like to offer in amendment not in rebuttal to Senator Woodall to change one preposition, Senator, instead of 'under' 'with'. It has been really a true privilege for me to serve with the forty-nine members of this Senate who I regard with the highest respect, esteem and admiration. I can add affection also. Thank you very much."

PERSONAL PRIVILEGES

Senator Greive: "Somebody should say a word for the very excellent staff that we have been blessed with this session. I feel that many of them have given service to this Senate above and beyond the call of duty. They have been efficient, hard workers, tireless and I hope that all of us and all of them know that we deeply appreciate their services."

Senator Atwood: "Mr. President, gentlemen of the Senate, I want to echo Senator Greive's remarks because this staff serves all of us. They have done an outstanding job this session and they have not only served this Senate but also served outside people who need services from the staff. I want to commend Sid Snyder and his staff for being extremely fair and extremely able. Thank you."

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Sandison, McCormack and Ryder appointed to notify the Governor that the legislature was about to adjourn *SINE DIE*, appeared before the bar of the Senate and reported that the committee had so notified the Governor and that the Governor was willing that the legislature adjourn *SINE DIE*.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Day, Talley and Guess appointed to notify the House that the Senate was ready to adjourn *SINE DIE* reported that the House had been notified.

The report was received and the committee was discharged.

MOTIONS

On motion of Senator Greive, the Senate Journal of the Thirty-Second Day, Forty-First Legislature, Second Extraordinary Session, was approved.

At 5:50 p.m., on motion of Senator Greive, the Senate of the Forty-First Legislature, Second Extraordinary Session, adjourned *SINE DIE*.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SYDNER, Secretary of the Senate.

APPENDIX

GOVERNOR'S MESSAGES ON SENATE BILLS PARTIALLY VETOED

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, SENATE BILL 1, entitled:

"An Act relating to state government."

This bill consolidates the functions of air and water pollution, solid waste disposal and water resources now performed by various state agencies into a new agency, the Department of Ecology. It is one of the most significant pieces of legislation enacted by this legislature. State government is now in a position to provide a more effective environmental protection program for its citizens.

Section 17 of the bill establishes an ecological commission consisting of seven members to be appointed by the governor. Three members are to represent three sections of the economy, labor, business and agriculture. As presented to me for my approval, the governor must make his selection of these three members from a list submitted to him by recognized business, labor and agricultural organizations.

It is my conviction that agencies of state government must be responsive to the people. It is appropriate that the views of these three segments of the economy be represented on the commission, but it is inappropriate for the governor's appointments to be dictated by private interest groups. I have therefore vetoed the provisions restricting the governor's appointments to a list of nominees to be submitted to him.

The sections relating to the hearings board contain certain provisions that are in some respect ambiguous and even inconsistent.

One of the areas where these provisions lack precision is the scope of review by the hearings board of an order of the director. While these sections do not directly address this important issue, from an examination of the entire bill and its legislative development it is clear that the legislature intended to vest in the director of the department broad resource-management and regulatory powers as well as the equally broad authority to implement these powers. It is not intended that the hearings board should substitute its own judgment for the expertise of the director and his technical staff.

In order to state this more completely and to resolve certain ambiguities and inconsistencies, I intend to submit to the next session of the legislature suggestions for modification and clarification of the hearings board provisions of this act.

With the exception of those certain items in section 17 which I have vetoed for the reasons discussed, the remainder of Senate Bill 1 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain sections, SENATE BILL NO. 13, entitled:

"An Act relating to revenue and taxation."

This bill contains various provisions pertaining to the revenue and tax laws. Sections 8, 9 and 10 make significant changes in the machinery for the collection of taxes upon wines sold within this state. The principal effects of these three sections are to repeal the existing 26% retail sales tax on wine and to replace it with a flat tax of 90 cents a gallon on wine and to impose the 4.5% retail sales tax on all wine sold at retail by the State Liquor Control Board.

With the passage in 1969 of House Bill 100 (Chapter 21 of the First Extraordinary Session) major changes in the system for the taxation of wine and the methods of merchandising of wine occurred. That legislation has now been in effect for only a short period of time and it was to be expected that some economic and marketing problems could develop which might require modification of the provisions of House Bill 100. However, I am not satisfied that sections 8, 9 and 10 of Senate Bill 13 have received the careful consideration required in order to justify making significant changes in the tax structure on wine created by the 1969 legislative session. Accordingly, I have determined to veto those sections.

The change in tax policy contemplated under Senate Bill 13 by the imposing of a flat 90 cent tax on each gallon of wine rather than the 26% tax on the purchase price of wine would lead the state away from the concept of levying taxes on the basis of the ability of the consumer to pay. The effect of these sections of Senate Bill 13 would be to increase the purchase price on inexpensive wines which persons of less affluence tend to buy and to reduce the price on expensive wines which persons of greater affluence demand. I am advised that 61% of the entire volume of wines sold by the Liquor Control Board which comprise the less expensive wines will increase in price, 16% will have no change in price and 23% which comprise the more expensive wines will decrease in price. At the very time that the voters of this state are being asked to approve a more equitable tax structure it does not appear appropriate to impose upon consumers the regressive tax structure included in Senate Bill 13.

Because House Bill 100 has only been in effect for a short period of time, it is not yet possible with any degree of accuracy to measure the overall fiscal impact which will occur from the major changes in taxation which that bill caused. As a result, the estimates of revenues to be generated by the further changes made by Senate Bill 13 cannot be relied upon with any certainty. When the legislature meets again in January of 1971 there should then be available sufficient statistical data to measure adequately the fiscal impact of the current law and the legislature should better be able to determine what changes, if any, are desirable and the fiscal impact of those changes.

The consideration given by the legislature at the short special session just completed to the various ramifications of Senate Bill 13 does not appear to have been adequate. For example, the shift from the 26% retail sales tax to a 90 cent gallonage tax would change the applicable formula for the distribution of funds among the units of government entitled to receive wine tax proceeds. This appears to have been an incidental but significant side effect of the passage of Senate Bill 13. In addition, while the wine tax provisions of Senate Bill 13 were intended to cause a tax shift from the more expensive to the less expensive wines, in their final form these provisions will probably also result, in the aggregate, in an increase in the total taxes paid on wines by consumers. Such consequences as these would appear to have been little understood and inadequately considered during the legislative discussions.

A principal motivation for the consideration by the legislature of the wine tax provisions of Senate Bill 13 apparently was the claimed financial difficulties which wine distributors are facing in this state. I am asking the Liquor Control Board to consider what steps might be taken through changes in its rules and regulations to provide relief, where appropriate, for the wine distributors. In addition, it is reasonable to expect that if the distributors are, in fact, having serious difficulties that the wineries will provide some means of additional assistance to minimize their problems.

I am confident that with the additional information the legislature will have available in January, 1971, it will be able to address the issues which sections 8, 9 and 10 of Senate Bill 13 sought to address and will be able to provide a solution which will more adequately meet the various problems this significant change in taxation would create.

With the exception of sections 8, 9 and 10, the remainder of Engrossed Senate Bill 13 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON,
(Through the Secretary of State)

GENTLEMEN:

I return herewith without my approval as to one section, SENATE BILL NO. 45, entitled:

“An Act relating to salaries of certain public officials; and declaring an emergency.”

The legislature has created the state committee on salaries, consisting of seven members representing education, business, labor, personnel administration and the professions. The committee is charged with the responsibility of studying the duties and salaries of the directors of the state departments, judges of the state courts, and public elected officials. Biennially, the committee shall recommend to the governor specific salaries for these officers and employees. Advised of the committee's recommendations, the governor may then recommend appropriate salaries not exceeding the recommendations of the salary committee. The governor's recommendations are to be included in his budget message to the legislature.

The bill expressly requires that the salaries of each public official be published in the session laws and the state code under a special section captioned, “Salaries for State Officials.”

I believe that the act will remove salaries of public officials from considerations based solely on politics and is constructive in that it brings to public attention the duties and responsibilities performed by public officials.

The basic responsibility for setting salaries is vested in the legislature under the terms of the state constitution. The bill does not purport to reassign that responsibility.

However, I believe that the bill has one significant defect. Section 5 has been interpreted by some critics of the bill as an authorization to increase salaries of members of the legislature in mid-term. This interpretation would violate the provisions of Article II, section 25 of the state constitution prohibiting compensation from being changed during the legislator's term. I do not believe this to have been the purpose of the act. Since the remainder of section 5 merely confirms powers already vested by statute in the office of the governor and the inherent power of the legislature, I have vetoed all of the section so that it is clear that the bill does not authorize the legislators to raise their own salaries in mid-term.

Public officers and employees are entitled to salaries commensurate with their duties and responsibilities. The public is entitled to be informed on these salaries and the best interests of all concerned are served if salaries are set in accordance with an orderly procedure and review. This veto does not eliminate any of the advantages to be obtained from the bill. It does remove any possibility of interpreting the statute in an unconstitutional manner.

The remainder of Senate Bill No. 45 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I return herewith without my approval as to one item, SENATE BILL NO. 49, entitled:

“An Act relating to location of thermal power plants; and declaring an emergency.”

This act establishes a procedure for evaluating and certifying proposed sites for thermal power plants in the State of Washington. Under present law, there is no set procedure in state government for reviewing an application to establish a thermal power plant facility. An applicant seeking to establish a plant, whether the applicant be a private industry or a unit of government, must now deal separately with a number of different units of government. The principal purpose of this act is to coordinate the interests and activities of each unit of state government that plays a role in the establishment, location, and operation of such a facility so that the state can have a unified position. It is a significant step forward in availing ourselves of this newly developing power resource.

Section 17 of the act provides that if any portions except sections 11 and 12 are declared to be unconstitutional, the remainder of the act shall be effective. There is no reason to believe any part of sections 11 or 12 is unconstitutional. No convincing argument has been suggested for striking down the entire act because of some now unknown flaws in these sections. I have therefore vetoed from Senate Bill 49 the exceptions from the severability clause of sections 11 and 12, so that each part of the act may be administered and, if necessary, examined solely on its own merits.

The remainder of Senate Bill 49 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature without my approval as to certain items, SENATE BILL 52, entitled:

“An Act relating to state government, creating a department of social and health services.”

This bill creates the Department of Social and Health Services which will provide the framework for the continuing improvement in human resource programs and services of state government.

Sections 17, 18, 23 and 31 pertain to various statutory boards and commissions located within the new department. Both Senate Bill 52 and the companion bill submitted to the House of Representatives provided that members of these boards and commissions shall receive a compensatory per diem of \$25 for each day or portion thereof actually spent in attending their duties as members of the respective bodies and, in addition, they shall be entitled to reimbursement for their subsistence and lodging expenses as provided in RCW 43.03.050 and for their travel expenses as provided in 43.03.060.

When the companion House Bill was considered in the House it was determined by that body that the appropriate policy should be to provide a compensatory per diem of \$25 per day and not to provide in addition thereto subsistence and lodging expenses. Accordingly, the latter provision was deleted from each of the sections referred to. When Senate Bill 52 was taken up by the Senate, this issue was not actively considered. Because of the determination made in the House not to authorize subsistence and lodging expenses in

addition to the compensatory per diem, I have concluded that it is appropriate to veto the item providing for subsistence and lodging expenses in each of the sections referred to.

Section 15 of Senate Bill 52 amends RCW 43.27A.050 to conform the membership of the Water Resources Advisory Council with the structure of the new Department of Social and Health Services by replacing the Director of the Department of Health with the Secretary of the new department as a member of the Council. Senate Bill 1, which creates the Department of Ecology, abolishes the Water Resources Advisory Council by repealing RCW 43.27A.050. To avoid any misunderstanding as to legislative intent, I am vetoing section 15 of Senate Bill 52 to make clear the legislative intent to repeal RCW 43.27A.050.

With the exception of section 15 and the items in sections 17, 18, 23 and 31, the remainder of Senate Bill 52 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to one section, SUBSTITUTE SENATE BILL NO. 99, entitled:

“An Act relating to crimes and criminal procedures.”

This bill contains several provisions pertaining to criminal law and procedures. Section 4 makes a substantial change in the procedure for determining whether a person under the age of 18 years who has been taken into custody may be fingerprinted and photographed. Under existing law, this may be done with the consent of the Juvenile Court. Under section 4 this will be done by the law enforcement agency taking the person into custody where there is probable cause that he has committed an act which would be a felony if he were an adult.

The remainder of the new language in section 4 then describes the procedure for determining whether such fingerprints and photographs shall be retained or destroyed, and if retained, their distribution and use.

Section 4 provides that fingerprints and photographs shall be distributed to the State Bureau of Criminal Identification as well as to certain local law enforcement agencies. The section then describes the standards for use by the State Bureau. While the State Bureau of Criminal Identification is legally still in existence, it has not been funded for several biennia by the legislature and it is essentially defunct. For this reason, Senate Bill No. 52 which creates the Department of Social and Health Services, repeals the section in the code whereby the State Bureau of Criminal Identification is created. As a result, subsequent to July 1, 1970, there will be no State Bureau to which these records will be able to be forwarded.

While the objectives of the procedural changes contemplated in section 4 may well be valid ones, they do raise issues which deserve careful consideration by the various groups concerned with the problems of juvenile misconduct and rehabilitation. It is my hope that should this subject be considered at the next legislative session all interested parties will participate so that a solution can be obtained which will meet the needs of the safety of the public and yet retain the protections which have been developed for the rehabilitation of juveniles.

For the reasons stated, I have decided to veto section 4. The remainder of Substitute Senate Bill 99 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am returning herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to one item, SENATE BILL NO. 105, entitled:

"An Act relating to the treatment and rehabilitation of persons admitted or committed to institutions under the supervision of the department of institutions; relating to the facilities, equipment and personnel of the institutions under the supervision of the department of institutions; and declaring an emergency."

This bill relates to programs and facilities of the Department of Institutions. Sections 2 through 10 were added as a floor amendment in the House of Representatives. Section 4 contains an internal reference to "sections 1 and 2 of this 1970 amendatory act." It is clear from the context of the bill that this internal reference should have been to "sections 2 and 3" of the act.

In order to avoid this internal inconsistency, I have vetoed the item in section 4 which makes reference to sections 1 and 2 of the act. With the exception of that item, Senate Bill No. 105 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, SENATE BILL NO. 132, entitled:

"An Act relating to the Washington State Teachers' Retirement System."

This bill provides a cost of living increase for retired teachers and makes a number of changes in the formulas for computing retirement benefits for the members of the Teachers' Retirement System.

I commend the Legislature for the action taken to provide the needed adjustments in pensions for retired teachers whose income has been eroded by inflation in recent years. I also believe that it is appropriate to have made the pension formula changes which were designed with a view toward granting to teachers the same benefits given to state employees.

One technical error has been called to my attention by the Teachers' Retirement System. When first introduced, the bill related to matters in addition to those finally adopted by the House and Senate. Subsections 8 and 9 of Section 1 in the form introduced in the Senate were deleted by amendment by the Senate Committee on Education during the legislative process. Section 7 of the bill as presented for signature still refers to the deleted subsections. I have therefore vetoed from Section 7 the language referring to non-existent subsections of the bill.

The remainder of Senate Bill No. 132 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, SUBSTITUTE SENATE BILL NO. 139, entitled:

"An Act relating to mining; requiring reclamation of surface mining sites; requiring a permit; requiring site inspection; prescribing powers, duties and functions of the board of natural resources in relation thereto."

This act provides for the reclamation of surface-mined lands. It is an important part of the program adopted by the 41st Legislature to preserve our environmental resources and scenic beauty.

The fundamental responsibility for its administration is given to the Board of Natural Resources consisting of the commissioner of public lands, the superintendent of public instruction, the deans of the schools of forestry of the University of Washington and Washington State University, and the Governor. The staff functions will be performed by the Department of Natural Resources.

Provisions of section 5 and section 21 are inconsistent with this allocation of responsibilities. Thus, these provisions, as now before me, would apparently require the rule-making authority to be delegated to the Department of Natural Resources while the responsibility for the act is assigned to the Board of Natural Resources. It is my belief that the legislature intended to make the Board of Natural Resources responsible for the policies of the act by utilizing the staff and technical ability of the Department of Natural Resources.

Because I believe the citizens of this state are best served by this allocation of functions, I have vetoed certain items from section 5 and all of section 21 as they are inconsistent with this concept.

The remainder of the act is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature without my approval as to certain items, SUBSTITUTE SENATE BILL 161, entitled:

"An Act providing for the licensing of the administrators of nursing homes and similar facilities; and declaring an emergency."

This bill enacts the nursing home administrator licensing act and is intended to establish and provide for the enforcement of standards for the licensing of nursing home administrators. While the objectives of this bill are desirable there are certain items in the bill which I have determined should be vetoed.

Section 2(3) defines "nursing home" broadly to include any facility providing care and treatment for persons requiring primarily convalescent or long-term nursing care and to which persons may be admitted for an overnight stay or longer; and it is further defined to include any facility licensed under state law as a nursing home. At the present time the statutory definition for nursing homes excludes facilities providing care for less than three

patients and also excludes hospitals. I have concluded that the definition of nursing home as used in this bill for purposes of licensing nursing home administrators should conform with the definition now found in state law for the licensing of nursing homes. I have accordingly vetoed that item in section 2(3) which broadens the definition of nursing home beyond that now found in state law.

Section 10 describes the duties and responsibilities of the state board of examiners for nursing home administrators created by the act. Subsection 9 of section 10 provides that the board will advise and direct the relevant state agencies regarding receipt and administration of such federal funds as are made available to carry out the educational purposes of the act. Because it is at this time not certain what state agencies will receive federal funds, I have concluded it is not desirable to allow the board of examiners to be able to direct other state agencies as to how such funds shall be used. Accordingly, I have vetoed that item in subsection 9 which authorizes the board to direct how such federal funds shall be used by the relevant state agencies.

Section 15 of the bill describes the procedures whereby complaints regarding any nursing home administrators shall be considered by the board. That section provides that such complaints will be investigated by a licensed administrator who is not a member of the board but who shall be appointed by the board. This is a restriction which may not in every case be desirable. It may, for example, be preferable to use an experienced state investigator who can be provided by the professional licensing division of the Department of Motor Vehicles. Accordingly, I have vetoed that item in section 15 which limits such investigations to licensed administrators appointed by the board in order to allow greater flexibility in this area.

Section 16 provides that information received as a result of investigations and proceedings authorized by the act shall not be disclosed to any public or private person or agency in any manner identifying individuals or nursing homes except that there may be such public disclosure as is necessary during the course of a proceeding directly involving the licensing of a specific individual under the act. The section further provides that at the close of a hearing, except as may be necessary for carrying out appeal procedures, the files of the board, director and department shall remain confidential.

Section 16 will tend to foreclose the public from obtaining information which may well be in the public interest. The procedures which have been developed by the professional licensing division of the Department of Motor Vehicles would appear to provide ample protection where confidentiality is required while at the same time providing the opportunity for public disclosure when this is in the public interest. I have therefore vetoed section 16 of the bill which will allow the hearing procedures for nursing home administrators to be handled in the same manner as other comparable licensing boards within the jurisdiction of the Department of Motor Vehicles.

With the exception of the items and section 16 as described above, the remainder of the bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

Office of the Governor, February 23, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

SENATE BILL NO. 2: Expediting environmental pollution cases in the courts.
SENATE BILL NO. 40: Pertaining to indebtedness limitations of taxing districts.
SENATE BILL NO. 60: Allowing seventy-five year leases for school purposes.
SENATE BILL NO. 145: Providing post retirement benefit increases for fire fighters and police officers.

SUBSTITUTE SENATE BILL NO. 146: Authorizing interest rates on public bonds and warrants to be determined by the issuing authority.

SENATE BILL NO. 164: Creating investment of contractor's retained percentage on public works contracts.

SUBSTITUTE SENATE BILL NO. 226: Assigning state route numbers to state highways.

Sincerely,
RICHARD W. HEMSTAD
Legal Assistant.

Office of the Governor, February 20, 1970.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

SENATE BILL NO. 15: Shortening from one year to six months residency requirement to file divorce complaint.

SENATE BILL NO. 27: Relating to the age of majority.

SUBSTITUTE SENATE BILL NO. 28: Increasing hunting and fishing fees.

SUBSTITUTE SENATE BILL NO. 55: Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.

SENATE BILL NO. 61: Authorizing counties to acquire and develop open space and health facilities.

SENATE BILL NO. 66: Regulating fees for transcripts.

SENATE BILL NO. 67: Providing for the election of the court of appeals judge by position number.

SUBSTITUTE SENATE BILL NO. 80: Establishing a state-wide drug control unit with the board of pharmacy.

SENATE BILL NO. 81: Increasing fees of county clerks.

SENATE BILL NO. 85: Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

SENATE BILL NO. 95: Authorizing sound and video recordings in certain police activities.

SENATE BILL NO. 101: Establishing procedures and setting requirements for possession of poisonous and dangerous drugs.

SENATE BILL NO. 107: Revising criteria for reimbursement to school districts for safe walkways for pupils.

SENATE BILL NO. 121: Revising inspection fees relating to boilers and pressure vessels.

SENATE BILL NO. 126: Relating to regulation of elevators, other lifting devices and moving walks.

SENATE BILL NO. 129: Providing for per diem for state officers and employees.

SENATE BILL NO. 130: Allowing deposit of certain materials removed for harbor and channel improvement on private land.

SENATE BILL NO. 141: Creating crimes and penalties for illegal use of credit cards.

SENATE BILL NO. 144: Changing amount of college property exempted from taxation from one hundred to four hundred acres.

SENATE BILL NO. 179: Establishing health care programs for state employees.

SENATE BILL NO. 191: Setting standards for establishing county commissioner districts.

SENATE BILL NO. 204: Relating to Spokane judges.

SENATE BILL NO. 206: Relating to community colleges.

SENATE BILL NO. 228: Providing for appointment of state toxicologist and laboratory funds.

SENATE BILL NO. 243: Increasing fees for certified copies of vital statistics records.

SENATE BILL NO. 261: Enabling inmates of county or city jail detention facilities to receive public assistance.

SENATE BILL NO. 266: Stipulating amount employers may withhold from wages.

SENATE BILL NO. 275: Relating to unfair business practices.

SENATE BILL NO. 277: Regulating mobile homes, commercial coaches and/or recreational units.

SUBSTITUTE SENATE BILL NO. 294: Relating to cities operating under the optional municipal code.

SENATE BILL NO. 311: Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people.

SENATE BILL NO. 317: Removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people.

SENATE BILL NO. 318: Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people.

SENATE BILL NO. 324: Providing for retirement plans for state college employees.

Sincerely,
RICHARD W. HEMSTAD
Legal Assistant.

1970 SENATE ROSTER
FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION

JOHN A. CHERBERG, President SIDNEY R. SNYDER, Secretary
 AL HENRY, President Pro Tempore
 JAMES E. KEEFE, Vice President Pro Tempore

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Andersen, James A.....	48	King, Snohomish, part	3008 98th N.E., Bellevue 98004	45	Washington	R	Attorney	S—1967-67 Ex.-69-69 Ex.-70 Ex. H—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.
Atwood, R. Frank.....	42	Whatcom	220 Bellingham Nat'l Bk. Bldg., Bellingham 98225	43	Massachusetts	R	Attorney	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Bailey, Robert C.....	19	Grays Harbor, part Pacific	Box 146, South Bend 98586	51	Washington	D	Printer	S—1957-59-59 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex. H—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Canfield, Damon R.....	8	Yakima-Benton, part	1368 Upland Dr., Sunnyside 98944	72	Arkansas	R	Educator, Fruit and Cattle Rancher, Retired	S—1967-67 Ex.-69-69 Ex.-70 Ex. H—1953-53 Ex.-55-55 Ex.-57-59- 59 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.
Connor, Frank T.....	33	King, part	3201 S. Massachusetts, Seattle 98144	53	Washington	D	Real Estate	S—Appointed 1/24/57 1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Cooney, John L.....	5	Spokane, part	4403 N. Adams St., Spokane 99205	54	Oregon	D	Attorney	S—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1951-51 Ex.-51 2nd Ex.-55- 55 Ex.
Day, William S.....	4	Spokane, part	S. 3004 Cherry Lane, Spokane 99202	46	Illinois	D	Chiropractor	S—1969-69 Ex.-70 Ex. H—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-FIRST SESSION, 1970—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Donohue, Hubert F.....	11	Asotin-Columbia-Garfield-Walla Walla	Rt. 2, Box 13, Dayton 99362	48	Washington	D	Farmer	S—1969-69 Ex.-70 Ex.
Dore, Fred H.....	37	King, part	3721 E. Marion, Seattle 98101	44	Washington	D	Lawyer	S—Appointed 3/11/59 1959 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1953-53 Ex.-55-55 Ex.-57-59
Durkan, Martin J.....	47	King, part	404 Olympic Nat'l Bldg., Seattle 98104	45	Montana	D	Attorney	S—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex. H—1957
Elicker, Charles W.....	10	Island-Kitsap, part	344 Wyatt Way, Winslow 98110	44	Pennsylvania	R	Attorney, Sanitarium Operator	S—1969-69 Ex.-70 Ex. H—1967-67 Ex.
Faulk, Lawrence John.	26	Pierce, part	3932 N. Mason, Tacoma 98407	33	Washington	R	Industrial Engineer	S—1967-67 Ex.-69-69 Ex.-70 Ex.
Foley, Frank W.....	49	Clark, part	3924 Wauna Vista Drive, Vancouver 98661	56	Washington	D	Attorney	S—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Francis, Peter D.....	32	King, part	7300 E. Green Lake Dr. N., Seattle 98115	35	Washington	D	Attorney	S—Appointed 12/1/69 1970 Ex. H—1969-69 Ex.
Gissberg, William A....	39	Snohomish, part	Route 1, Box 41, Lake Stevens 98258	47	Washington	D	Lawyer	S—1953-53 Ex.-55-55 Ex.-57-59- 59 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Greive, R. R. Bob.....	34	King, part	4444 California Ave., S.W. Seattle 98116	50	Washington	D	Attorney	S—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Guess, Sam C.....	6	Spokane, part	W. 408-33rd Ave., Spokane 99203	60	Mississippi	R	Civil Engineer	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Henry, Al	17	Clark, part-Klickitat-Skamania	Rio Vista, White Salmon 98672	58	Kansas	D	Telephone Executive	S—1957-59-59 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex. H—1941-45-51-51 Ex.-51 2nd Ex.-55-55 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-FIRST SESSION, 1970—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Herr, Gordon	31	King, part	10617-21st S.W., Seattle 98146	43	Washington	D	Real Estate	S --Appointed 1/20/64 1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1963-63 Ex.
Holman, Francis E.....	1	King, part	1900 Washington Bldg., Seattle 98101	55	Utah	R	Lawyer	S —1969-69 Ex.-70 Ex. H—1967-67 Ex.
Huntley, Elmer C.....	9	Adams-Lincoln-Whitman	Thornton 99176	55	Washington	R	Farmer	S —Appointed 4/24/67 Ex.-69-69 Ex.-70 Ex. H—1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.
Keefe, James Edward...	3	Spokane, part	412 W. Glass, Spokane 99205	61	New York	D	Sales Manager	S —1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Knoblauch, Reuben A...	25	Pierce, part	P.O. Box 306, Sumner 98390	55	Washington	D	Right-of-Way Agent	S —1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Lewis, Brian J.....	41	King, part	1804-127th S.E., Bellevue 98005	40	England	R	Consulting Civil Engineer	S —1969-69 Ex.-70 Ex. H—1967-67 Ex.
Lewis, Harry B.....	22	Thurston	2019 Clairmont Circle, Olympia 98501	42	Pennsylvania	R	Pres.-Mgr. Wood Fabricators, Inc.	S —1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1961-61 Ex.-63-63 Ex.
McCormack, Mike	16	Benton, part-Franklin	1314 Hains, Richland 99352	47	Ohio	D	Research Scientist	S —1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1957-59-59 Ex.
McCutcheon, John T....	29	Pierce, part	P.O. Box 387, Steilacoom 98388	77	Washington	D	Attorney	S —1943-44 Ex.-45-47-49-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1941
McDougall, Bob	12	Chelan-Douglas	Rt. 2, Box 2001, Wenatchee 98801	46	Washington	R	Fruit Grower, Packing, Storing	S —1969-69 Ex.-70 Ex. H—1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-FIRST SESSION, 1970—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Mardesich, August P....	38	Snohomish, part	4712 Mermont Dr., Everett 98201	49	California	D	Attorney, Commer- cial Fisherman	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1950 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57- 59-59 Ex.-61-61 Ex.
Marquardt, R. G. "Dick"	45	King, part	12542 Densmore Ave. N. Seattle 98133	47	Idaho	R	Oil Company Executive	S—1967-67 Ex.-69-69 Ex.-70 Ex.
Matson, Jim	14	Yakima, part	Rt. 2, Box 730, Selah 98942	42	Washington	R	Fruit Grower, Shipper	S—1969-69 Ex.-70 Ex.
Metcalf, Jack	21	Snohomish, part	7421-46th W., Mukilteo 98275	42	Washington	R	Teacher	S—1967-67 Ex.-69-69 Ex.-70 Ex. H—1961-61 Ex.-63-63 Ex.
Newschwander, Charles E.	23	Pierce, part	2140 Bridgeport Way, Tacoma 98466	49	Washington	R	Dentist	S—1969-69 Ex.-70 Ex. H—1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.
Odegaard, Gary M.....	20	Lewis-Grays Harbor, part	P.O. Box 27, Onalaska 98570	29	Washington	D	Teacher	S—1969-69 Ex.-70 Ex.
Peterson, Lowell	40	San Juan-Skagit	Box 188, Concrete 98237	48	Washington	D	Oil Distributor	S—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Peterson, Ted G.....	44	King, part	2345 N.W., Blue Ridge Dr., Seattle 98177	65	Washington	R	President, Peterson Supply & Equip- ment Co.	S—1955-55 Ex.-57-63-63 Ex.-65- 65 Ex.-67-67 Ex.-69-69 Ex.- 70 Ex.
Pritchard, Joel M.....	36	King, part	1401 Broadway, Seattle 98122	44	Washington	R	Gen. Mgr., Griffin Envelope Co.	S—1967-67 Ex.-69-69 Ex.-70 Ex. H—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.
Ridder, Robert C. (Bob)	35	King, part	5809 S. Roxbury, Seattle 98118	42	Washington	D	Elementary School Vice Principal	S—1967-67 Ex.-69-69 Ex.-70 Ex.
Ryder, John N.....	46	King, part	6811-55th Ave. N.E., Seattle 98115	62	Washington	R	Banker	S—1955-55 Ex.-57-59-59 Ex.- 61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1953-53 Ex.
Sandison, Gordon	24	Clallam-Jefferson- Mason	P.O. Box 967, Port Angeles 98362	50	Washington	D	Insurance	S—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69- 69 Ex.-70 Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-FIRST SESSION, 1970—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Stender, John H.....	30	King, part	19039 Pacific Highway So., Seattle 98188	53	Montana	R	Int'l Vice Pres. Int'l Boilermakers	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Stortini, Joe	27	Pierce, part	1623 Firlands Dr., Tacoma 98405	38	Washington	D	Teacher-Coach	S—1969-69 Ex.-70 Ex.
Talley, Don L.....	18	Cowlitz-Wahkiakum	1817 Bloyd, Kelso 98626	50	Washington	D	Safety Supervisor	S—1957-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Twigg, Robert W.....	7	Spokane, part	817 Northtown Bldg. Spokane 99207	44	Washington	R	Lawyer	S—1967-67 Ex.-69-69 Ex.-70 Ex.
Walgren, Gordon L....	23	Kitsap, part	5533 Erland Pt. Road, Bremerton 98313	36	Washington	D	Attorney	S—1969-69 Ex.-70 Ex. H—1967-67 Ex.
Washington, Nat W....	13	Grant-Kittitas	42 C St. N.W., Ephrata 98823	55	Washington	D	Lawyer	S—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1949-50 Ex.
Williams, Walter B....	43	King, part	3871-45th Ave. N.E., Seattle 98105	48	Washington	R	Mortgage Banker	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1961-61 Ex.
Wilson, Bruce A.....	2	Ferry-Okanogan-Stevens-Pend Oreille	P.O. Box 553, Omak 98841	49	Illinois	D	Weekly Newspaper Publisher	S—1969-69 Ex.-70 Ex.
Woodall, Perry B.....	15	Yakima, part	P.O. Box 507, Toppenish 98948	57	Washington	R	Attorney, Farmer	S—Appointed 12/26/56 1957-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—1939-41-43-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Lieutenant Governor Cherberg, John A....		President of the Senate	505 Howe St., Seattle 98109	59	Florida	D	Lieutenant Governor	S—Elected 1957 1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Snyder, Sidney R.....		Secretary of the Senate	P.O. Box 531, Long Beach 98631	43	Washington	D	Owner, Operator Super Market	S—Elected 5/12/69 1970 Ex. H—1949-51-51 Ex.-51 2nd Ex.-57-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-FIRST SESSION, 1970—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Johnson, Charles L. R.		Sergeant at Arms	624 Carlyon, Olympia 98501	58	Washington	D	Merchant	S—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex. H—House Member 1951 Served as Sergeant at Arms 1955

STANDING COMMITTEES OF THE SENATE—1970 SESSION

JOHN A. CHERBERG, President
 AL HENRY, President Pro Tempore
 JAMES E. KEEFE, Vice President Pro Tempore
 SIDNEY R. SNYDER, Secretary

AGRICULTURE AND HORTICULTURE (8)—DONOHUE, CHAIRMAN; Canfield, Day, Knoblauch, McDougall, Matson, Odegaard, Wilson.

CITIES, TOWNS AND COUNTIES (16)—HERR, CHAIRMAN; WILSON, VICE CHAIRMAN; Canfield, Elicker, Faulk, Francis, Guess, McDougall, Mardesich, Peterson (Lowell), Peterson (Ted); Pritchard, Ridder, Stortini, Talley, Walgren.

COMMERCE AND REGULATORY AGENCIES (19)—MARDESICH, CHAIRMAN; Andersen, Cooney, Day, Foley, Gissberg, Greive, Huntley, Keefe, Knoblauch, Lewis (Brian), McCormack, McCutcheon, McDougall, Newschwander, Ryder, Stortini, Twigg, Washington.

CONSTITUTION, ELECTIONS AND LEGISLATIVE PROCESSES (15)—MCCUTCHEON, CHAIRMAN; Canfield, Cooney, Donohue, Francis, Greive, Holman, Keefe, McCormack, Mardesich, Metcalf, Pritchard, Stender, Washington, Woodall.

EDUCATION (14)—RIDDER, CHAIRMAN; Andersen, Elicker, Francis, Henry, Knoblauch, McCutcheon, Marquardt, Metcalf, Odegaard, Peterson (Ted), Stender, Talley, Washington.

HIGHER EDUCATION AND LIBRARIES (13)—SANDISON, CHAIRMAN; Atwood, Donohue, Dore, Foley, Francis, Holman, Huntley, Lewis (Harry), McCormack, Ryder, Williams, Wilson.

HIGHWAYS (28)—WASHINGTON, CHAIRMAN; HENRY, VICE CHAIRMAN; Bailey, Connor, Donohue, Dore, Elicker, Faulk, Foley, Guess, Herr, Huntley, Keefe, Knoblauch, Lewis (Brian), Lewis (Harry), McDougall, Mardesich, Marquardt, Matson, Peterson (Lowell), Pritchard, Ridder, Sandison, Stender, Talley, Walgren, Williams.

JUDICIARY (15)—GISSBERG, CHAIRMAN; DORE, VICE CHAIRMAN; Andersen, Atwood, Durkan, Foley, Francis, Greive, Holman, McCormack, Ridder, Twigg, Walgren, Williams, Woodall.

LABOR AND SOCIAL SECURITY (10)—STORTINI, CHAIRMAN; Bailey, Connor, Durkan, Faulk, Herr, Matson, Metcalf, Ridder, Stender.

LIQUOR CONTROL (9)—WALGREN, CHAIRMAN; Andersen, Connor, Henry, Herr, Holman, Knoblauch, Twigg, Woodall.

MEDICINE, DENTISTRY, PUBLIC HEALTH, AIR AND WATER POLLUTION (13)—DAY, CHAIRMAN; Connor, Cooney, Elicker, Greive, Holman, Keefe, McCutcheon, McDougall, Newschwander, Odegaard, Peterson (Lowell), Woodall.

NATURAL RESOURCES, FISHERIES AND GAME (9)—PETERSON (LOWELL), CHAIRMAN; GISSBERG, Lewis (Brian), Matson, Metcalf, Odegaard, Peterson (Ted), Sandison, Talley.

PARKS, RECREATION, CAPITOL GROUNDS AND VETERANS' AFFAIRS (9)—WILSON, CHAIRMAN; Bailey, Canfield, Durkan, Henry, Lewis (Brian), Lewis (Harry), Mardesich, Pritchard.

PUBLIC INSTITUTIONS (9)—ODEGAARD, CHAIRMAN; Elicker, Faulk, Knoblauch, Lewis (Brian), Newschwander, Peterson (Lowell), Sandison, Stortini.

RULES AND JOINT RULES (17)—CHERBERG, CHAIRMAN; Atwood, Bailey, Connor, Cooney, Foley, Greive, Guess, Henry, Keefe, Knoblauch, Peterson (Ted), Ryder, Stender, Talley, Williams, Woodall.

STATE GOVERNMENT (14)—WALGREN, CHAIRMAN; Atwood, Day, Dore, Durkan, Henry, Huntley, Lewis (Harry), McCormack, McCutcheon, Marquardt, Newschwander, Ryder, Washington.

WAYS AND MEANS (36)—DURKAN, CHAIRMAN; COMMITTEE ON APPROPRIATIONS—DORE, CHAIRMAN; FRANCIS, VICE CHAIRMAN; Andersen, Atwood, Bailey, Canfield, Day, Donohue, Durkan, Faulk, Foley, Gissberg, Guess, Huntley, Lewis (Harry), McCormack, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Ted), Pritchard, Ridder, Ryder, Sandison, Stortini, Walgren, Washington, Williams, Wilson, Woodall; COMMITTEE ON REVENUE AND TAXATION—McCORMACK, CHAIRMAN; Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Faulk, Foley, Gissberg, Greive, Guess, Mardesich, Marquardt, Metcalf, Newschwander, Ridder, Ryder, Sandison, Stortini, Twigg, Walgren, Washington, Williams, Woodall; COMMITTEE ON CLAIMS AND AUDITING—Atwood, Durkan, Foley, Gissberg, Greive, Ryder, Woodall.

**SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS
1970 SESSION**

- ANDERSEN (James A.)**—Commerce and Regulatory Agencies; Education; Judiciary; Liquor Control; Ways and Means (Appropriations).
- ATWOOD (R. Frank)**—Higher Education and Libraries; Judiciary; Rules and Joint Rules; State Government; Ways and Means (Appropriations); Claims and Auditing.
- BAILEY (Robert C.)**—Highways; Labor and Social Security; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Rules and Joint Rules; Ways and Means (Appropriations and Revenue).
- CANFIELD (Damon R.)**—Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Ways and Means (Appropriations and Revenue).
- CONNOR (Frank T.)**—Highways; Labor and Social Security; Liquor Control; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Revenue).
- COONEY (John L.)**—Commerce and Regulatory Agencies; Constitution, Elections and Legislative Processes; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Revenue).
- DAY (William S.)**—Chairman: Medicine, Dentistry, Public Health, Air and Water Pollution; Agriculture and Horticulture; Commerce and Regulatory Agencies; State Government; Ways and Means (Appropriations and Revenue).
- DONOHUE (Hubert F.)**—Chairman: Agriculture and Horticulture; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Highways; Ways and Means (Appropriations and Revenue).
- DORE (Fred H.)**—Chairman: Ways and Means (Appropriations); Vice Chairman: Judiciary; Higher Education and Libraries; Highways; State Government.
- DURKAN (Martin J.)**—Chairman: Ways and Means; Claims and Auditing; Judiciary; Labor and Social Security; Parks, Recreation, Capitol Grounds and Veterans' Affairs; State Government.
- ELICKER (Charles W.)**—Cities, Towns and Counties; Education; Highways; Medicine, Dentistry, Public Health, Air and Water Pollution; Public Institutions.
- FAULK (Lawrence John)**—Cities, Towns and Counties; Highways; Labor and Social Security; Public Institutions; Ways and Means (Appropriations and Revenue).
- FOLEY (Frank W.)**—Commerce and Regulatory Agencies; Higher Education and Libraries; Highways; Judiciary; Rules and Joint Rules; Ways and Means (Appropriations and Revenue); Claims and Auditing.
- FRANCIS (Peter D.)**—Vice Chairman: Ways and Means (Appropriations); Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Higher Education and Libraries; Judiciary.
- GISSBERG (William A.)**—Chairman: Judiciary; Commerce and Regulatory Agencies; Natural Resources, Fisheries and Game; Ways and Means (Appropriations and Revenue); Claims and Auditing.
- GREIVE (R. R. Bob)**—Commerce and Regulatory Agencies; Constitution, Elections and Legislative Processes; Judiciary; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Revenue); Claims and Auditing.
- GUESS (Sam C.)**—Cities, Towns and Counties; Highways; Rules and Joint Rules; Ways and Means (Appropriations and Revenue).
- HENRY (Al)**—Vice Chairman: Highways; Education; Liquor Control; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Rules and Joint Rules; State Government.
- HERR (Gordon)**—Chairman: Cities, Towns and Counties; Highways; Labor and Social Security; Liquor Control.
- HOLMAN (Francis E.)**—Constitution, Elections and Legislative Processes; Higher Education and Libraries; Judiciary; Liquor Control; Medicine, Dentistry, Public Health, Air and Water Pollution.
- HUNTLEY (Elmer C.)**—Commerce and Regulatory Agencies; Higher Education and Libraries; Highways; State Government; Ways and Means (Appropriations).

- KEEFE (James Edward)**—Commerce and Regulatory Agencies; Constitution, Elections and Legislative Processes; Highways; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules.
- KNOBLAUCH (Reuben A.)**—Agriculture and Horticulture; Commerce and Regulatory Agencies; Education; Highways; Liquor Control; Public Institutions; Rules and Joint Rules.
- LEWIS (Brian J.)**—Commerce and Regulatory Agencies; Highways; Natural Resources, Fisheries and Game; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Public Institutions.
- LEWIS (Harry B.)**—Higher Education and Libraries; Highways; Parks, Recreation, Capitol Grounds and Veterans' Affairs; State Government; Ways and Means (Appropriations).
- MCCORMACK (Mike)**—Chairman: Ways and Means (Revenue); Commerce and Regulatory Agencies; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Judiciary; State Government; Ways and Means (Appropriations).
- MCCUTCHEON (John T.)**—Chairman: Constitution, Elections and Legislative Processes; Commerce and Regulatory Agencies; Education; Medicine, Dentistry, Public Health, Air and Water Pollution; State Government.
- McDOUGALL (Bob)**—Agriculture and Horticulture; Cities, Towns and Counties; Commerce and Regulatory Agencies; Highways; Medicine, Dentistry, Public Health, Air and Water Pollution.
- MARDESICH (August P.)**—Chairman: Commerce and Regulatory Agencies; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Highways; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Ways and Means (Appropriations and Revenue).
- MARQUARDT (R. G. "Dick")**—Education; Highways; State Government; Ways and Means (Revenue).
- MATSON (Jim)**—Agriculture and Horticulture; Highways; Labor and Social Security; Natural Resources, Fisheries and Game.
- METCALF (Jack)**—Constitution, Elections and Legislative Processes; Education; Labor and Social Security; Natural Resources, Fisheries and Game; Ways and Means (Appropriations and Revenue).
- NEWSCHWANDER (Charles E.)**—Commerce and Regulatory Agencies; Medicine, Dentistry, Public Health, Air and Water Pollution; Public Institutions; State Government; Ways and Means (Appropriations and Revenue).
- ODEGAARD (Gary M.)**—Chairman: Public Institutions; Agriculture and Horticulture; Education; Medicine, Dentistry, Public Health, Air and Water Pollution; Natural Resources, Fisheries and Game; Ways and Means (Appropriations).
- PETERSON (Lowell)**—Chairman: Natural Resources, Fisheries and Game; Cities, Towns and Counties; Highways; Medicine, Dentistry, Public Health, Air and Water Pollution; Public Institutions.
- PETERSON (Ted G.)**—Cities, Towns and Counties; Education; Natural Resources, Fisheries and Game; Rules and Joint Rules; Ways and Means (Appropriations).
- PRITCHARD (Joel M.)**—Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Highways; Parks, Recreation, Capitol Grounds and Veterans' Affairs; Ways and Means (Appropriations).
- RIDDER (Robert C. "Bob")**—Chairman: Education; Cities, Towns and Counties; Highways; Judiciary; Labor and Social Security; Ways and Means (Appropriations and Revenue).
- RYDER (John N.)**—Commerce and Regulatory Agencies; Higher Education and Libraries; Rules and Joint Rules; State Government; Ways and Means (Appropriations and Revenue); Claims and Auditing.
- SANDISON (Gordon)**—Chairman: Higher Education and Libraries; Highways; Natural Resources, Fisheries and Game; Public Institutions; Ways and Means (Appropriations and Revenue).
- STENDER (John H.)**—Constitution, Elections and Legislative Processes; Education; Highways; Labor and Social Security; Rules and Joint Rules.
- STORTINI (Joe)**—Chairman: Labor and Social Security; Cities, Towns and Counties; Commerce and Regulatory Agencies; Public Institutions; Ways and Means (Appropriations and Revenue).

- TALLEY (Don L.)**—Cities, Towns and Counties; Education; Highways; Natural Resources, Fisheries and Game; Rules and Joint Rules.
- TWIGG (Robert W.)**—Commerce and Regulatory Agencies; Judiciary; Liquor Control; Ways and Means (Revenue).
- WALGREN (Gordon L.)**—**Chairman:** Liquor Control; **Chairman:** State Government; Cities, Towns and Counties; Highways; Judiciary; Ways and Means (Appropriations and Revenue).
- WASHINGTON (Nat W.)**—**Chairman:** Highways; Commerce and Regulatory Agencies; Constitution, Elections and Legislative Processes; Education; State Government; Ways and Means (Appropriations and Revenue).
- WILLIAMS (Walter B.)**—Higher Education and Libraries; Highways; Judiciary; Rules and Joint Rules; Ways and Means (Appropriations and Revenue).
- WILSON (Bruce A.)**—**Chairman:** Parks, Recreation, Capitol Grounds and Veterans' Affairs; **Vice Chairman:** Cities, Towns and Counties; Agriculture and Horticulture; Higher Education and Libraries; Ways and Means (Appropriations).
- WOODALL (Perry B.)**—Constitution, Elections and Legislative Processes; Judiciary; Liquor Control; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Appropriations and Revenue); Claims and Auditing.

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1969-1971**

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(RCW 74.36.010)**

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(SCR 33, 1969 EX.)**

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**COLUMBIA INTERSTATE COMPACT COMMISSION
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DATA PROCESSING ADVISORY COUNCIL
(Ch. 43.105 RCW)

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EDUCATION COMMISSION OF THE STATES
(RCW 28.92.010)

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JOINT COMMITTEE ON EDUCATION
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**INTERIM COMMITTEE ON FISHERIES
(HCR 25, 1969 EX.)**

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(SCR 30, 1969 EX.)**

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**INTERIM COMMITTEE ON GAME AND GAME FISH
(HCR 23, 1969 EX.)**

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REPRESENTATIVES

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**JOINT COMMITTEE ON GOVERNMENTAL COOPERATION
(SCR 12, 1969 EX.)**

Lieutenant Governor John A. Cherberg, Chairman

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**William S. Day
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**JOINT COMMITTEE ON HIGHER EDUCATION
(Ch. 44.30 RCW)**

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**COUNCIL ON HIGHER EDUCATION
(Ch. 28B RCW)**

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(RCW 44.40.010)**

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**STATE EMPLOYEES' INSURANCE AND HEALTH CARE ADVISORY COMMITTEE
(Ch. 237, L. '69 EX.)**

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(RCW 2.52.010)**

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(Ch. 44.39 RCW)

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OCEANOGRAPHIC COMMISSION OF WASHINGTON
(RCW 43.94.020)

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PUBLIC EMPLOYEES' COLLECTIVE BARGAINING INTERIM COMMITTEE
(Ch. 41.56 RCW)

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 Joe Stortini

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 Robert C. Bailey
 William A. Gissberg
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(Ch. 28A.96 RCW)

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(Ch. 43.96A RCW)

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 **Liaison Member

APPENDIX

SENATE BILLS PASSED BY SENATE AND HOUSE SHOWING
THE ACTION BY THE GOVERNOR THEREON

1970

 FORTY-FIRST LEGISLATURE
 SECOND EXTRAORDINARY SESSION

Senate Bill No.	Subject	Chapter Number	Date Signed	Effective Date
1	Creating a department of ecology.....	62	2/23/70	7/ 1/70
	Sec. 17, P.V.			
2	Pollution Control—Hearings—Review—Appeals...	41	2/23/70	5/14/70
8	Defining Terms—Unemployment Compensation...	2	2/ 6/70	4/ 5/70
			Secs. 3 / 8 effective	1/ 1/71
13	Revenue and Taxation—Excise Taxes—Board of Tax Appeals	65	2/23/70	7/ 1/70
	Secs. 8, 9, 10, Vetoed			
15	Residency Requirement—Divorce	28	2/20/70	5/14/70
18	Uniform Minor Student Capacity to Borrow Act..	4	2/11/70	7/ 1/70
27	Persons Eighteen Years of Age or Older.....	17	2/20/70	5/14/70
Sub. 28	Hunting and Fishing License Fees.....	29	2/20/70	1/ 1/71
40	Taxing Districts—Limitations of Indebtedness....	42	2/23/70	11/ 1/70
45	Public Officials, Salaries—State Committee on Salaries	43	2/23/70	5/14/70
	Sec. 5, Vetoed			
49	Thermal Power Plants.....	45	2/23/70	2/23/70
	Sec. 17, P.V.			
52	Department of Social and Health Services.....	18	2/23/70	5/14/70
	Sec. 15, Vetoed; Secs. 17, 18, 23 and 31, P.V.			and 7/ 1/70
Sub. 55	Factory Built Housing.....	44	2/20/70	5/14/70
60	Public Lands—Sales—Leases	46	2/23/70	5/14/70
61	Counties—Open Space, Park, Recreation and Com- munity Facilities—Public Health and Safety Fa- cilities—Storm Water Control Facilities—Highways	30	2/20/70	2/20/70
66	Indigent Defendants and Juveniles—Attorneys Fees, Expenses—Appeal Costs, Transcript.....	31	2/20/70	2/20/70
67	Elections—Court of Appeals Judges—Position Number	19	2/20/70	5/14/70
68	Abortion (Requires Voters' Approval).....	3	2/ 9/70	Referendum #20
Sub. 80	Washington State Patrol—Drug Control Assistance Unit	63	2/20/70	2/20/70
81	County Officers—Fees	32	2/20/70	5/14/70
				and 7/ 1/70
85	Property Tax Millage Limitations.....	47	2/20/70	5/14/70
95	Communications—Prohibitions, Exceptions as to Police and Fire Personnel.....	48	2/20/70	5/14/70
Sub. 99	Crimes and Criminal Procedure.....	49	2/23/70	5/14/70
	Sec. 4, Vetoed			
101	Poisons and Dangerous Drugs.....	33	2/20/70	5/14/70
105	Department of Institutions—Programs and Facili- ties, Agreements—Schools for Blind and Deaf, Sessions	50	2/23/70	2/23/70
	Sec. 4, P.V.			
107	Safe Walkways	20	2/20/70	
			Sec. 1 effective	5/14/70
			Sec. 2, effective	7/ 1/70
121	Boilers and Pressure Vessels.....	21	2/20/70	5/14/70

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<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
126	Elevators, Other Lifting Devices and Moving Walks	22	2/20/70	5/14/70
129	State Officers and Employees—Per Diem.....	34	2/20/70	5/14/70
130	Gravel, Rock, Etc. Removed from Navigable Waters—Disposition	54	2/20/70	5/14/70
132	Washington State Teachers' Retirement System... Sec. 7, P.V.	35	2/23/70	7/ 1/70
Sub. 139	Surface Mining	64	2/23/70	1/ 1/71
	Sec. 5, P.V.; Sec. 21, Vetoed			
141	Crimes Relating to Credit Cards and Identification Cards	36	2/20/70	5/14/70
144	Property Taxes—Exemptions—County Boards of Equalization	55	2/20/70	7/ 1/70
145	Washington Law Enforcement Officers' and Fire Fighters' Retirement System.....	37	2/23/70	5/14/70
Sub. 146	Public Bonds and Obligations—Interest Rates....	56	2/23/70	2/23/70
Sub. 161	Nursing Home Administrators—Licensing..... Secs. 2,10, 15, P.V.; Sec. 16, Vetoed	57	2/23/70	2/23/70
164	Public Works Contracts—Investment of Retained Percentage	38	2/23/70	5/14/70
179	State Employees and Officials—Insurance and Health Care Programs.....	39	2/20/70	2/20/70
191	County Commissioner Districts.....	58	2/20/70	5/14/70
204	Justices of the Peace—Number.....	23	2/20/70	5/14/70
206	Community Colleges	59	2/20/70	2/20/70
				and 7/ 1/70
Sub. 226	State Highways—Route Numbers.....	51	2/23/70	5/14/70
228	State Toxicological Laboratory—State Toxicologist	24	2/20/70	5/14/70
243	Vital Statistics—Certified Copies—Fee.....	25	2/20/70	5/14/70
261	Public Assistance—Medical Assistance—Indigent Prisoners	60	2/20/70	2/20/70
266	Garnishments	61	2/20/70	5/14/70
275	Unfair Business Practices and Consumer Protection	26	2/20/70	5/14/70
277	Mobile Homes, Commercial Coaches and/or Recreational Vehicles	27	2/20/70	5/14/70
288	Community Colleges	5	2/11/70	
			Secs. 1 & 2 effective	2/11/70
			Secs. 3 & 4 effective	7/ 1/70
Sub. 294	Code Cities—Election of Officers—Annexation, Community Municipal Corporations.....	52	2/20/70	2/20/70
311	Outdoor Recreational Areas and Facilities—Ac- quisition—Bond Issue (Requires Voters' Approval)	40	2/20/70	Referendum #21
317	Government Obligations and Assessments—Inter- est Rates—Validation (Requires Voters' Approval)	66	2/20/70	Referendum #22
318	Bonds, Water Pollution Control Facilities—Interest Rate (Requires Voters' Approval).....	67	2/20/70	Referendum #23
324	State Colleges—Retirement Plans.....	53	2/20/70	7/ 1/70

APPENDIX

**SENATE MEMORIALS AND RESOLUTIONS PASSED BY THE
SENATE AND THE HOUSE
1970**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION**

SENATE JOINT MEMORIALS*No.**Subject*

- 3 Requesting Congress to turn Fort Lawton over to people of Seattle for park

SENATE CONCURRENT RESOLUTIONS

- 1 Second extraordinary session, thirty-day limit
2 Commending development of Spokane centennial celebration
6 Extending time for consideration of revenue and budget measures

APPENDIX

**HOUSE BILLS PASSED BY THE SENATE AND HOUSE
SHOWING THE ACTION BY THE GOVERNOR THEREON
1970**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION**

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5	Taxes—Exemptions—Sheltered Workshops	81	2/20/70	5/14/70
6	Sale of Articles Produced by Institutionalized Persons	73	2/20/70	5/14/70
9	Authorizing benefits for Viet Nam veterans.....			Vetoed
13	School Districts—Reimbursement Factor—Depopu- lated Districts, Dissolution and Annexation.....	86	2/20/70	2/20/70 and 7/ 1/70
21	Local Sales and Use Taxes..... Sec. 6, P.V.	94	2/20/70	2/23/70
23	Child Agencies—Adoption—Medical Reports..... Sec. 1, P.V.	82	2/23/70	5/14/70
26	Property Taxes—Open Space, Farm and Timber Lands	87	2/20/70	1/ 1/71
Sub. 33	Budget and Appropriations..... P.V.	95	2/23/70	2/23/70
34	Revenue and Taxation—Code Corrections.....	8	2/12/70	2/12/70
35	Motor Vehicles—Code Corrections.....	9	2/12/70	2/12/70
36	Elections—Code Corrections	10	2/12/70	2/12/70
37	Metropolitan Municipal Corporations— Code Corrections	11	2/12/70	2/12/70
38	State Civil Service—Code Corrections.....	12	2/12/70	2/12/70
39	Intoxicating Liquor—Code Corrections.....	13	2/12/70	2/12/70
40	East Capitol Site Bonds—Code Corrections.....	14	2/12/70	2/12/70
41	Education—Code Corrections	15	2/12/70	
			Secs. 1-11, effective	2/12/70
			Secs. 12-29, effective	7/ 1/70
42	Education—Code Corrections	16	2/12/70	7/ 1/70
46	Washington Public Employees' Retirement System	68	2/20/70	7/ 1/70
Sub. 51	Water Pollution—Oil Discharges—Liability— Penalties	88	2/23/70	2/23/70
Sub. 60	Public Stadium Facilities.....	89	2/20/70	2/20/70
63	Municipal Associations—Recommendations to Legislature	69	2/20/70	5/14/70
66	Irrigation District Improvement Districts.....	70	2/20/70	5/14/70
72	Shotguns and Rifles—Interstate Purchases.....	74	2/20/70	5/14/70
74	Washington Law Enforcement Officers' and Fire Fighters' Retirement.....	6	2/12/70	2/12/70
103	Justice Courts—Small Claims Department— Jurisdictional Amount—Notices—Appeals	83	2/20/70	5/14/70
118	State Residential Schools—Estates of Residents, Financial Responsibility	75	2/20/70	2/20/70
126	Irrigation and Reclamation Districts—Units Subdivisions	71	2/20/70	5/14/70
127	Judges' Retirement System.....	96	2/20/70	2/20/70 and 7/ 1/70
Sub. 129	Intermediate School Districts—Superintendents— Salaries	84	2/23/70	2/23/70 and 7/ 1/70
140	Washington State Recreation Trails System Act..	76	2/20/70	5/14/70
142	Highways—Appropriations	91	2/20/70	2/20/70

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162	Schools, Colleges, Universities—Civil Disturbances—Penalties	98	2/20/70	5/14/70
164	Demonstration Cities and Metropolitan Develop- ment Act of 1966—Cities, Participation.....	77	2/20/70	2/20/70
Sub. 169	Domestic Animals—Injuring or Killing—Penalty..	90	2/20/70	5/14/70
173	Appropriations—Legislative Expense and Mem- bers' Subsistence—Legislative Council.....	99	2/20/70	2/20/70
Sub. 180	Property Taxes—Millages—Limitations	92	2/23/70	7/ 1/70
190	Appropriations—Legislative Expense and Members' Subsistence	1	1/19/70	1/19/70
201	Motor Vehicles—Auto Stages—Private Carrier Buses	100	2/20/70	2/20/70
Sub. 220	Public Hospital Districts—Sales and Leases of Surplus Property	7	2/12/70	5/14/70
Sub. 232	Taxes—Deductions—Financial Institutions— Shares of Stock.....	101	2/20/70	3/ 1/70
237	Miscellaneous and Mutual Corporations.....	78	2/20/70	5/14/70
251	Community Colleges—Annuity or Retirement Income Plans	79	2/20/70	
			Sec. 1, Effective	2/20/70
			Sec. 2, Effective	7/ 1/70
253	Colleges and Universities—Student Fees— Commission on Higher Education.....	102	2/20/70	2/20/70 and 7/ 1/70
293	Explosives	72	2/23/70	5/14/70
295	Marijuana Offenders—Review of Minimum Terms	80	2/20/70	2/20/70
304	Puget Sound Ferries, Transportation Facilities— Financing—Study	85	2/23/70	4/ 1/70
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Sub. 312	State Building Authority.....	103	2/20/70	2/20/70
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326	Funds—Investment—Local Improvement Installment Notes	93	2/20/70	2/20/70

**HOUSE MEMORIALS AND RESOLUTIONS PASSED BY THE
SENATE AND HOUSE****1970**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION**

HOUSE JOINT MEMORIALS**No.** *Subject*

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- | | |
|---|---------------------------------------|
| 2 | Blaine Peace Arch commemorative stamp |
| 3 | Prisoners of war, Viet Nam conflict |

HOUSE JOINT RESOLUTIONS

- | | |
|---|--|
| 6 | Nineteen year old vote; and Indians vote |
|---|--|

HOUSE CONCURRENT RESOLUTIONS

- | | |
|---|---|
| 1 | Legislature organized |
| 2 | Governor's message |
| 8 | Second extraordinary session extended, thirty-two day limit |
| 9 | Adjournment <i>sine die</i> , second extraordinary session |

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**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,
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AND

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TITLE AND HISTORY OF SENATE BILLS

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1. Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington: Creating a department of pollution control.	13	116, 529, 531	195	203	162, 167, 184, 195, 434, 484, 540	204, 540	425, 484, 528, 531	558	562	Signed p. 566 CH. 62 P. V.
2. Senators Durkan and Greive: Expediting environmental pollution cases in the courts.	13	114	128	129	434	129, 434	434	475	490	Signed p. 573 CH. 41
3. Senators Durkan, Sandison and Foley: Regulating water pollution caused by persons or ships discharging oil into waters of state.	13									
4. Senators Durkan, Knoblauch, Stortini, McCormack, Talley, Dore, Keefe and Peterson (Lowell): Authorizing compensation for veterans of the Viet Nam conflict.	13	90	109	109		110				
5. Senators Durkan, Greive, Peterson (Lowell), Sandison, Lewis (Harry), Stender, Canfield and Foley: Permitting special taxation of open space land, farm and agricultural land and timberland.	13									
6. Senators Bailey, Holman, Sandison, Marquardt, Durkan, Greive, Washington and Andersen: Providing for improved planning and usage of seacoast and other areas affected by marine water flowage.	13									
7. Senators McCormack and Washington: Deferring retired persons' property taxes.	13	192	286	290	181	291				
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10. Senators Greive, Balley, McCutcheon, Herr, Talley, Dore and Stortini: Providing for increase of benefits under workmen's compensation.	15	47	103, 107, 131	131	103, 108, 115	132
11. Senators Talley, Greive and Stortini: Establishing payment schedules for industrial insurance.	15	116	.....	.....	190	.....	.....	.....	.....	.....	.....
12. Senators Wilson, Talley, Faulk and Odegaard: Requiring fiscal notes on bills affecting county current expense funds.	15	133
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14. Senator Wilson: Excusing counties from double payment of intermediate school district superintendents' salaries.	15
15. Senator Walgren: Shortening from one year to six months residency requirement to file divorce complaint.	15	90	110	110	.....	110	418	417	467	Signed p. 574 CH. 28	.....
16. Senators Stender, McDougall and Washington: Transferring the state ferry system to the state highway commission.	15	253	.....	.....	259	.....	.....	.....	.....	.....	.....
17. Senators Henry, Bailey, Woodall, Wilson, Huntley, McCormack, Durkan, Talley, McDougall and Washington: Continuing same weighting schedule for remote and necessary school districts for 1970-71 fiscal year as had during 1969-70 fiscal year.	15	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
18. Senators Dore and Holman: Providing minor students with capacity to borrow.	16	133	188	188	.....	189	323	323	379	Signed p. 513 CH. 4	.....
19. Senators Dore, Gissberg, Mardesich and Stortini: Establishing day care centers in class AA and class A counties.	16	179, 318	264, 397	397	25, 265	397	.....	.....	.....	.....	.....
20. Senator McCormack: Prescribing educational requirements for public employees.	16	192

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21. Senator McCormack: Providing qualifications for persons under eighteen from out of state to be licensed to drive.	16									
22. Senator McCormack: Enabling owners of destroyed motor vehicles to obtain refund of excise taxes paid.	16	47	85	85		86				
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25. Senators Keefe, Greive and Cooney: Defining and proscribing penalties for the crime of distributing harmful matter to minors.	16				112, 132					
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77. Senator Walgren (by Municipal Committee request): Raising the value of public projects cities may undertake without bid if project found necessary.	34									
78. Senators Walgren and Twigg (by Municipal Committee request): Establishing a state building council within the department of labor and industries and adopting a state building code. ...	34									
79. Senator Walgren (by Municipal Committee request): Filing damage claims against city, town and county officials.	34									
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82. Senators Woodall, Twigg, Greive and Cooney: Changing the number of jurors required for civil verdict from ten to nine.	41	114	162	162	43	162				

83. Senators Gissberg and Williams: Relating to judicial conference.	41	193	247	247	247
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86. Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System and Public Pension Commission request): Providing post retirement adjustments in retirement allowances for public employees' retirement system.	42	118	163	167	43, 163	167
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89. Senators Talley and Stender (by Legislative Council request): Granting superintendents authority to make payment from patients' accounts.	42
90. Senators Andersen and Walgren: Establishing two degrees of negligent criminal homicide.	42
91. Senators Mardesich, Walgren and Andersen: Providing arrest authority at scene of motor vehicle accidents.	42	165
92. Senators Andersen and Walgren: Forfeiting vehicles or conveyances used to unlawfully carry narcotics or dangerous drugs.	42
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106. Senators Mardesich, Walgren and Andersen: Regulating the use and licensing of firearms. ..	48																				
107. Senators Lewis (Brian), Andersen and Ridder: Revising criteria for reimbursement to school districts for safe walk-ways for pupils.	48	165	212		212, 380	212, 380	380	387	467											Signed p. 574 CH. 20	
108. Senator Mardesich: Relating to financial institutions.	48																				
109. Senator Mardesich: Relating to transportation. ..	48																				
110. Senator Mardesich: Relating to commerce and manufacturing.	48																				
111. Senator Mardesich: Relating to transportation. ..	48																				
112. Senator Mardesich: Relating to commerce and manufacturing.	48																				
113. Senator Mardesich: Relating to banks and banking.	48																				
114. Senator Mardesich: Relating to banks and banking.	48																				
115. Senator Mardesich: Relating to insurance.	48																				
116. Senator Mardesich: Relating to insurance.	48																				
117. Senator Mardesich: Relating to public utilities.	48																				
118. Senator Mardesich: Relating to utilities.	49																				

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119. Senator Mardesich: Relating to utilities.	49									
120. Senators Mardesich and Dore: Prohibiting attorney general from practice of law in his private capacity as attorney.	49	127	171, 183	183	173	183				
121. Senators Stender, Gissberg and Peterson (Ted) (by departmental request): Revising inspection fees relating to boilers and pressure vessels. ...	49	127	207	207	190	208	366	367	401	Signed p. 574 CH. 21
122. Senator Durkan: Relating to revenue and taxation.	49				557					
123. Senator Durkan: Relating to revenue and taxation.	49	485			485					
123. (Substitute) Committee on Ways and Means: Relating to revenue and taxation.			485	486		486	515			
124. Senator Durkan: Making appropriations.	49									
125. Senator Durkan: Making appropriations.	49									
126. Senators Peterson (Ted), Talley, Stender and Francis: Relating to regulations of elevators, other lifting devices and moving walks.	49	193	243	243	52	244	382	387	467	Signed p. 574 CH. 22
127. Senators Stender and Mardesich: Authorizing group motor vehicle insurance.	49									
128. Senators Lewis (Harry), Durkan, Walgren and Greive: Authorizing certain political activities by state civil service personnel.	49				52					
129. Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell): Providing for per diem for state officers and employees.	50	117	186	186	52	187	413	418	467	Signed p. 574 CH. 34

130. Senators Talley, Atwood and Bailey: Allowing the deposit of certain material removed for harbor and channel improvement on private land.	50	117	168	169	468	169, 468	468	512	514	Signed p. 574 CH. 54
131. Senators Faulk, Walgren, Pritchard, Dore, Holman, Atwood, Washington, Elicker, Metcalf, Ridder, Peterson (Ted), McDougall, Francis and Huntley: Establishing rules and regulations for campaign contributions.	50				52					
132. Senators Bailey, Gissberg and Peterson (Ted): Implementing state teachers' retirement system provisions.	50	134	210	210	187	210	413	418	467	Signed p. 571 CH. 36 P. V.
133. Senators Cooney and Twigg (by departmental request): Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.	50	220								
133. (Substitute) Committee on Commerce and Regulatory Agencies: Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.	50	561	271, 291	292	271, 272, 447, 484, 561	294	443, 484			
134. Senators Mardesich, Ryder and Durkan: Adding qualifying experience for eligibility for appointment as supervisor of savings and loan associations.	50	220								
135. Senator Twigg: Relating to mortgages and trust receipts.	50									
136. Senator Mardesich: Relating to financial institutions.	50									
137. Senator Mardesich: Relating to public utilities.	51									
138. Senators Atwood, Walgren and Dore: Relating to lawyers' code of ethics.	51									
139. Senator Gissberg (by Legislative Council request): Regulating surface mining.	51	134								
139. (Substitute) Committee on Natural Resources, Fisheries and Game: Regulating surface mining.		529, 554	208	209	208, 452, 483, 530, 555, 556	209, 555, 556	447, 483, 529, 554	558	559	Signed p. 572 CH. 64 P. V.

146. (Substitute) Committee on State Government: Authorizing the sale of bonds at the rate of interest considered by the issuing authority to be commensurate with current market conditions.	229	230	230, 492, 503	230, 503	491, 503, 514	516	531	Signed p. 673 CH. 56
147. Senator Day: Relating to insurance provided by health care service contractors.	55							
148. Senator Day: Relating to health care contractors.	56							
149. Senator Day: Relating to health care services..	56							
150. Senator Ridder: Prohibiting manufacture and distribution of nonreturnable beverage bottles in this state.	56							
151. Senators Ridder, Marquardt, Dore and McCormack: Prohibiting littering upon state's waterways including use of watercraft having sanitary facilities without holding tanks.	56							
152. Senator Day: Relating to reimbursement or indemnity of health care services.	56							
153. Senators Twigg, Cooney, Keefe and Guess: Enabling cities of first class over 150,000 to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes.	56	363		82, 253				
154. Senators Greive, Woodall and Herr (by Legislative Council request): Regulating the bonding of judges of inferior courts.	56							
155. Senators Greive, Faulk and Herr: Implementing law providing insurance for employees of state educational institutions.	56	134	262	262		263		
156. Senator Bailey (by departmental request): Providing for legislative auditing.	56							
157. Senators Greive, Faulk and Herr (by Joint Committee on Governmental Cooperation request): Authorizing cities, towns and counties to provide for the self-liquidation of the costs of urban renewal and redevelopment projects..	56							
158. Senators Greive, Faulk and Herr (by Joint Committee on Governmental Cooperation request): Authorizing tax abatement in urban renewal areas for certain low income families. .	57			253				

166. Senators Talley and Henry: Relating to port districts.	59																			
167. Senators Day, Twigg and Gissberg: Regulating the practice of massage.	59																			
168. Senators Ridder, Francis, Marquardt and Holman: Authorizing institutions of higher education to contract with cities for protective services.	59																			
169. Senators Stender, Bailey, Guess and Connor: Implementing law relating to industrial insurance for building industry.	60																			
170. Senators Dore, Ridder and Francis: Relating to education.	60								233											
171. Senator Day: Relating to nonprofit corporations.	60																			
172. Senator Day: Relating to public assistance.	60																			
173. Senators Lewis (Harry) and Odegaard: Providing for procurement of state insurance and public official bonds.	60																			
174. Senator Andersen: Relating to thermal power...	60																			
175. Senator Andersen: Relating to thermal power...	60																			
176. Senators Keefe, Connor, Atwood, Twigg, Henry, Knoblauch, Day, McCormack, Bailey, Mardesich, Elicker, Stender, Herr, Woodall and Talley: Establishing law regulating gambling, defining crimes, prescribing penalties and declaring an emergency.	60																			
177. Senators Williams, Knoblauch and Talley: Creating a tax exemption for sheltered workshops.	60																			
178. Senator Ridder: Relating to safety standards for school buses.	60																			
179. Senators Odegaard, Lewis (Harry) and Atwood: Establishing health care programs for state employees.	61	194	266	266		266		413	418	468										
180. Senators Day and Grieve: Relating to participation in health care contracts.	61																			
181. Senator Day: Relating to health care service contracts.	61																			

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182. Senator Day: Relating to health care contracts.	61									
183. Senator Day: Relating to state government and making an appropriation.	61									
184. Senators Dore and Francis: Creating office of ombudsman.	61									
185. Senators Dore and Connor: Establishing procedure to allow class A cities to contract with the United States.	61									
186. Senator Ridder: Providing for recommendation for driver's licenses at stated periods for elderly drivers of motor vehicles.	61									
187. Senators Wilson, Canfield and Washington: Providing for collective bargaining between employees and employers of irrigation districts.	61									
188. Senators Talley and Sandison: Creating districts to manage solid waste for counties.	61									
189. Senators Day, Elicker, Mardesich and Peterson (Ted): Increasing license fees of business and professions.	61	220								
189. (Substitute) Committee on Commerce and Regulatory Agencies: Increasing license fees of business and professions.		220								
190. Senators Wilson, Donohue, Huntley and McDougall: Relating to livestock.	62	165	263	264	82	264				
191. Senators Elicker and Herr: Setting standards for establishing county commissioner districts...	62	194	249	249	453	250	453, 484	512	514	Signed p. 574 CH. 58

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NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President of the Senate	Signed by Speaker of the House	Action by Governor
207. Senator Talley: Relating to sewer districts.	64									
208. Senator Talley: Relating to municipal corporations and other public agencies.	64	221			252					
208. (Substitute) Committee on Cities, Towns and Counties: Relating to municipal corporations and other public agencies.			272	272	272	273				
209. Senator Talley: Relating to cities.	64									
210. Senators Henry and Woodall: Relating to outdoor advertising.	64									
211. Senator McCormack: Relating to revenue and taxation.	64									
212. Senators Talley and Bailey: Relating to food fish and shellfish.	65									
213. Senators Durkan, Foley and Woodall: Providing for a state teachers professional practice commission.	65	253								
214. Senators Washington, McDougall, Donohue, Sandison and Bailey: Establishing the noncongested area industrial dispersion authority.	65	194								
214. (Substitute) Committee on Highways: Establishing the noncongested area industrial dispersion authority.		194								
215. Senators Francis, Marquardt, Keefe and Ridder (by Joint Committee on Education request): Appropriating money for urban, racial and disadvantaged programs in school districts.	65				191					

216. Senator Durkan: Changing qualifications for those claiming the property tax exemption for senior citizens.	65	128, 194	248, 259	260	249	260	.....	.....	.....	.....
217. Senators Durkan, Connor and Stender: Providing collective bargaining for employees in health care activities.	65	194	.....	.....	.....	.....	.....	.....	.....	.....
218. Senator Washington: Creating a state department of transportation.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
219. Senators Mardesich and Walgren: Relating to alcoholic beverage control.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
220. Senators Mardesich and Walgren: Relating to alcoholic beverage control.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
221. Senator Marquardt: Relating to revenue and taxation.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
222. Senator Peterson (Ted): Relating to food fish and shellfish.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
223. Senator Peterson (Lowell) (by departmental request): Conserving the public lands of this state.	66	118	.....	.....	.....	.....	.....	.....	.....	.....
224. Senator Peterson (Lowell) (by departmental request): Providing for forest protection.	66	118	.....	.....	.....	.....	.....	.....	.....	.....
225. Senator Bailey: Pertaining to state jurisdiction over Indian tribes.	66	.....	.....	.....	.....	.....	.....	.....	.....	.....
226. Senators Washington, Bailey, Huntley and Guess: Renumbering the state highway routes. .	66	180	.....	.....	.....	.....	.....	.....	.....	.....
226. (Substitute) Committee on Highways: Renumbering the state highway routes. ....	.....	.....	237	237	237, 453	237, 453	453	475	491	Signed p. 574 CH. 51
227. Senators Bailey and Washington: Relating to motor vehicles.	68	.....	.....	.....	82	.....	.....	.....	.....	.....
228. Senator Henry: Providing for appointment of state toxicologist and laboratory funds.	68	180	209	209	.....	209	366	367	401	Signed p. 574 CH. 24
229. Senator Francis: Establishing procedures for a shoreland inventory by the department of natural resources.	68	.....	.....	.....	.....	.....	.....	.....	.....	.....
230. Senators Dore, Connor and Pritchard: Pertaining to retarded children and their schooling. ...	68	.....	.....	.....	82, 90	.....	.....	.....	.....	.....

243. Senators Ellicker, Wilson and Faulk (by departmental request): Increasing fees for certified copies of vital statistics records.	69	118	308	308	.....	308	382	387	467	Signed p. 574 CH. 25
244. Senators Sandison and Lewis (Harry): Relating to higher education.	69	.....	.....	.....	.....	.....	.....	.....	.....	.....
245. Senators Sandison and Lewis (Harry): Relating to higher education.	69	.....	.....	.....	.....	.....	.....	.....	.....	.....
246. Senators Sandison, Lewis (Harry) and Wilson: Relating to higher education.	69	.....	.....	.....	.....	.....	.....	.....	.....	.....
247. Senators Sandison, Lewis (Harry) and Wilson: Relating to higher education.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
248. Senators Sandison, Lewis (Harry) and Wilson: Relating to higher education.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
249. Senators Ellicker, Sandison, Walgren, Stender and Peterson (Lowell): Relating to toll facilities and financing.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
250. Senators Connor and Cooney: Relating to the practice of naturopathy.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
251. Senators Durkan and Andersen: Pertaining to removing fire districts from tax freeze law under certain conditions.	70	.....	.....	.....	.....	254	.....	.....	.....	.....
252. Senators Connor and Dore: Prohibiting children from standing on the front seat of a moving vehicle.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
253. Senator Metcalf: Relating to the current state school fund.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
254. Senator Metcalf: Relating to explosives.	70	.....	.....	.....	.....	.....	.....	.....	.....	.....
255. Senators Ryder and Atwood: Relating to the purchase and sale of securities by the state and establishing a state investment council.	70	.....	318	.....	.....	.....	.....	.....	.....	.....
255. (Substitute) Committee on State Government: Relating to the purchase and sale of securities by the state and establishing a state investment council.	318
256. Senator Mardesich: Providing for disposal of junk vehicles.	70

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257. Senators Lewis (Harry), Atwood Guess and Greive: Revising procedure for enjoining the sale or exhibition of obscene or erotic material.	70									
258. Senators Lewis (Harry) and Atwood: Making changes in the prohibitions and regulations of the sale of dangerous drugs.	71									
259. Senators Lewis (Harry) and Atwood: Relating to larceny.	71									
260. Senators McCormack, Guess and Durkan: Repealing B & O exemption as to financial institutions.	71									
261. Senators Woodall, Matson and Canfield: Enabling inmates of county or city jail detention facilities to receive public assistance.	71	180	213	213	502	214, 502	502	520	531	Signed p. 574 CH. 60
262. Senators Atwood and Lewis (Harry): Changing the duties of prosecuting attorneys in regard to divorce actions.	71									
263. Senators Stender, Atwood, Marquardt, Day, Elicker, Lewis (Harry), Woodall, Peterson (Ted), Bailey, Odegaard and Holman: Permitting counties, cities, towns or other municipal corporations to levy taxes.	71									
264. Senator Talley: Pertaining to the assessment of open space, agricultural and timber lands.	71									
265. Senators Guess and Twigg: Relating to snowmobile licensing.	71	195								
265. (Substitute) Committee on Highways: Relating to snowmobile licensing.			244, 251	244, 251	244, 245, 252	252 (Failed)				

266. Senator Holman: Stipulating amount employers may withhold from wages.	71	195	245	246	472	246, 472	472	512	514	Signed p. 574 CH. 61
267. Senators Guess and Cooney: Regulating public or private nonprofit schools which dismantle or substantially change the form of any motor vehicles.	72	195	286	286		286				
268. Senators Durkan and Canfield: Pertaining to number of commissioners upon merger of fire protection districts.	72									
269. Senator Durkan: Providing for the disposition of certain payments accompanying declarations of candidacy for elective office.	72									
270. Senator Durkan: Exempting insurance agents from business and occupation tax.	72									
271. Senator Dore: Relating to local government.	72									
272. Senators Odegaard and Greive: Granting state employees additional leave based on length of service.	72									
273. Senator Francis: Establishing a prohibition against the sale of fireworks.	72									
274. Senator Ryder: Providing for caring of nontuberculosis respiratory diseases in county tuberculosis hospitals.	72									
275. Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender: Relating to unfair business practices.	73	127	189	189	366	189, 366	366	380	401	Signed p. 574 CH. 26
276. Senator Mardesich: Providing attorney general act as legal counsel to all public utility districts.	73									
277. Senators Walgren and Twigg: Regulating mobile homes, commercial coaches and/or recreational units.	73	181	284	285	105	285	382	387	467	Signed p. 574 CH. 27
278. Senators Henry, Day and Mardesich: Relating to installment loans.	73									
279. Senators Ridder and Stortini: Providing for dissolution of certain school districts.	73									
280. Senator Bailey: Relating to certain public lands and providing for the sale thereof.	73									

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NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President of the Senate	Signed by Speaker of the House	Action by Governor
281. Senators Andersen, Guess and Durkan: Pertaining to the business and occupation tax as applied to real estate brokers.	78				258					
282. Senators Francis, Ridder and Ellicker: Providing for the location regulation of thermal power facilities.	78									
283. Senator Dore: Relating to county clerk's fees. ...	74									
284. Senators Keefe, Twigg and Day: Providing Spokane county with an eighth justice of the peace and authorizing county commissioners to add one additional justice to service in districts with more than two hundred thousand population.	74									
285. Senators Twigg, Day and Guess: Relating to the fiscal support of townships.	74									
286. Senator Walgren: Relating to recognizance and bail.	74									
287. Senators Guess, Day, and Donohue: Relating to education.	74									
288. Senators Sandison and McCormack: Clarifying the position covered by the definition of faculty appointment as applies to community colleges.	74	184	216	217		217	323	323	379	Signed p. 513 CH. 5
289. Senators McCormack and Walgren: Relating to data processing.	74									
290. Senator Bailey: Relating to Indians and Indian territories, country or lands.	74									

291. Senator Francis: Authorizing the state fire marshal to make rules for flame retardant chemicals and materials.	74									
292. Senator Henry: Relating to the state toxicologist.	75									
293. Senator Lewis (Brian): Relating to annexation to community councils within cities.	75									
294. Senator Durkan: Relating to cities operating under the optional municipal code.	75	195								
294. (Substitute) Committee on Cities, Towns and Counties: Relating to cities operating under the optional municipal code.			240	241	240, 455	241, 456	453	476	491	Signed p. 574 CH. 52
295. Senator Stortini: Relating to freeways.	75									
296. Senators Bailey and Washington: Relating to the department of motor vehicles.	75				81					
297. Senators Odegaard, Elicker and Marquardt: Establishing the power of the director of the department of institutions to make rules and regulations concerning facilities, equipment and personnel of the department.	75	127	190	190		190				
298. Senator Wilson: Raising prosecutors' salaries in counties of fifth class.	75									
299. Senators Greive, Odegaard and Elicker: Granting the University of Washington power to negotiate the payment due for the services rendered by Seattle to the metropolitan tract. ..	75									
300. Senators Greive, McCutcheon and Elicker: Relating to compensation of port district commissioners.	75									
301. Senators Bailey and Washington: Relating to highways.	75				81					
302. Senators Bailey and Washington: Relating to highway studies.	75				81					
303. Senators Bailey and Washington: Relating to litter.	75				81					
304. Senators Bailey and Washington: Relating to driver education.	75				81					

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NUMBER, AUTHOR AND SUBJECT	Introduction First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President of the Senate	Signed by Speaker of the House	Action by Governor
305. Senator Bailey: Relating to urban passenger transportation.	76									
306. Senator Metcalf: Establishing requirements of disclosure for federal legislators elected from the state of Washington.	76									
307. Senator Metcalf: Establishing taxing procedure for open land.	76									
308. Senator Metcalf: Establishing procedures for expulsion of students who participate in campus disorders.	76									
309. Senator Metcalf: Providing that methods teachers may be given leave to obtain classroom experience.	76	165			265, 267					
310. Senator Talley: Relating to medical examiners. .	76									
311. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people.	76	221	267	267	268, 271	268	413	418	468	Referendum #21—Signed p. 574 CH. 40
312. Senators Bailey, Greive and Talley: Increasing salaries of state elected officials.	76									
313. Senator Durkan: Relating to education.	76									
314. Senator Durkan: Relating to revenue and taxation in support of the common schools.	76									

315. Senators Ryder and Durkan (by State Finance Committee request): Permitting interest coupons to be used as an instrument of payment...	76	221	268	268	268	268				
316. Senators Williams, Ridder, Huntley and Elicker (by Public Pension Commission request): Authorizing cost of living benefits to prior pensioners under Washington public employees' retirement.	77									
317. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people.	77	221, 530, 541	268	269	271, 456, 483, 530, 542	269, 542	456, 483, 530, 541	558	559	Referendum #22—Signed p. 574 CH. 66
318. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people.	77	221, 543	270	270	271, 456, 483, 484, 543	270, 543	456, 483, 543	558	559	Referendum #23—Signed p. 575 CH. 67
319. Senators McCormack, Sandison and Lewis (Harry): Relating to community colleges.	77									
320. Senators Sandison, McCormack and Lewis (Harry): Relating to community colleges.	77									
321. Senators Sandison, McCormack and Lewis (Harry): Relating to community colleges.	77									
322. Senators Sandison and McCormack: Relating to community colleges.	77	221								
322. (Substitute) Committee on Higher Education and Libraries: Relating to community colleges.		221								
323. Senators Greive and Woodall (by Joint Committee on Governmental Cooperation request): Pertaining to the deposit and investment of public funds.	77	222	273	274		275				
324. Senators Sandison, Lewis (Harry), Atwood, Guess and Washington: Providing for retirement plans for state college employees.	77	134	217	217	456	218	456	476	491	Signed p. 575 CH. 53
325. Senators Williams, Ridder and Elicker (by Public Pension Commission request): Implementing state teachers' retirement act.	77									

TITLE AND HISTORY OF SENATE JOINT MEMORIALS

NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President of the Senate	Signed by Speaker of the House
1. Senators Durkan and McCormack: Requesting the federal government to allow state to tax national banks.	24								
2. Senators Day, Marquardt, Durkan, Bailey and McCormack: Requesting Congress to set the prime interest rate at not more than seven percent.	78								
3. Senators Peterson (Ted), Marquardt, Francis and Greive: Requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park.	78		84	85, 89	84, 85	89	323	323	379
4. Senators Peterson (Lowell), Talley, Metcalf, Peterson (Ted) and Stortini: Requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada.	78	118	211	211		211			
5. Senator Metcalf: Amending the United States Constitution to limit the terms of senators and representatives. ...	78								
6. Senator Metcalf: Memorializing Congress to amend United States Constitution to retire United States supreme court justices at age seventy.	78								
7. Senator Metcalf: Requesting constitutional amendments to improve the administration of justice.	78								
8. Senators Henry, Odegaard and Durkan: Urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington.	79	118	168	168		168			

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9. Senators Marquardt, Greive, Lewis (Harry), Bailey, Dore, Elicker, Francis, Herr, Holman, McCormack, McDougall, Pritchard, Walgren, Wilson and Odegaard (by executive request): Proposing constitutional amendment to lower voting age to eighteen years.	25	105	258
10. Senators Woodall, Twigg, Faulk, Greive and Cooney (by Legislative Council request): Permitting any elected county officer to hold office in two or more contiguous counties.	52		52
11. Senators Dore, Connor, Peterson (Lowell) and McCormack: Providing for annual sessions of unlimited duration.	79		
12. Senator Ridder: Changing the Constitution to allow gambling.	79		
13. Senator Dore: Proposing amendment to Article II, section 16 of state Constitution.	79		
14. Senators McCormack and Donohue: Amending Constitution to allow valuation of all real property on basis of use or productivity.	79		
15. Senator Metcalf: Providing for the administrative and supervisory power of the supreme court.	79		
16. Senator Metcalf: Amending the Constitution to limit the years a legislator may serve in the legislature.	79		
17. Senators McCormack, Day and Atwood: Amending Constitution to authorize gambling under certain conditions.	79		

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President of the Senate	Signed by Speaker of the House
1. Senators Bailey, Greive, Gissberg, Durkan, Herr, Sandison, Foley, Atwood, Ryder, Andersen, Williams, Twigg, Woodall, Stender, Peterson (Ted), Lewis (Brian) and Ridder : Limiting length of second extraordinary session and setting cutoff dates for specific legislative business. . .	11		11	11	12, 216, 557	11, 32	32	41	54
2. Senators Twigg, Day, Guess, Cooney and Keefe : Commending development of Spokane centennial celebration. . .	52		52	52	52	52	54	55	83
3. Senators Marquardt, Lewis (Harry), Bailey and Faulk : Providing for legislative budget committee study of state reports.	79	253							
4. Senator Metcalf : Providing for education of all children. .	79								
5. Senators Washington, Bailey, Elicker, Holman, Day and Greive : Providing for interstate coordination.	323	363							
6. Senators Bailey, Atwood, Ryder and Greive : Extending time for consideration of revenue and budget measures. .	382		382	382		382	401	401	467

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—SECOND EXTRAORDINARY SESSION

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
Ex. 1. Senators Greive and Atwood: Constituting officers, committee chairmen and committees of the second extraordinary session of the forty-first legislature.	5					5 Adopted
Ex. 2. Senators Bailey and Ryder: Notification to House that Senate is organized.	5				5	5 Adopted
Ex. 3. Senators Bailey and Ryder: Extension of Senate courtesies to former presidents, members and secretaries.	5					5 Adopted
Ex. 4. Senators Sandison and Peterson (Ted): Weekly payment of members authorized. ...	5					5 Adopted
Ex. 5. Senators Sandison and Peterson (Ted): Weekly payment of employees authorized. ...	5					6 Adopted
Ex. 6. Senator Greive: Authorization to provide postage to members.	6					6 Adopted
Ex. 7. Senators Dore, Mardesich, Durkan, Greive, Washington, Faulk, Williams, Marquardt, Holman and Pritchard: Designating Martin Luther King Day, January 15, 1970.	43				44-45	44 Adopted
Ex. 8. Senators Bailey and Ryder: Extending condolences upon death of Dwight L. Spracher, business and political leader.	52					52 Adopted
Ex. 9. Senators Canfield, Odegaard, Donohue, Washington, Matson, Wilson and Ridder: Paying tribute to Bert L. Brown for leadership in vocational agriculture.	54					55 Adopted
Ex. 10. Senators Lewis (Brian), Washington, Holman, Cooney, Henry, McCormack, Marquardt, Woodall, Talley, Guess and Sandison: Mourning death of David O. McKay, president of the Church of Jesus Christ of the Latter-day Saints.	83				83-84	84 Adopted
Ex. 11. Senators Peterson (Lowell) and Wilson: Requesting release of federal funds allocated for construction of the North cross-state highway.	105					106 Adopted
Ex. 12. Senator Washington: Requesting congressional commerce committees to continue to foster methods of combating internal combustion engine air pollution.	159		166		160	166 Adopted

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TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—SECOND EXTRAORDINARY SESSION—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
Ex. 13. Senators Washington and McCormack: Requesting Congress appropriate funds to maintain education programs in case presidential veto is not overridden.	183					183 Adopted
Ex. 14. Senators Day, Greive and Peterson (Ted): Calling for study of licensure laws by legislative council.	305					305 Adopted
Ex. 15. Senators Peterson (Ted), Greive and Lewis (Harry): Challenging legislators to March of Dimes benefit basketball game with Capitol Press Corps.	306					306 Adopted
Ex. 16. Senator Francis: Authorizing study of courts, judicial services for purpose of recommending new constitutional judicial article.	306		307		306	307 Adopted
Ex. 17. Senators Dore, Mardesich, Bailey, Greive, Stortini, Cooney, Herr, Gissberg, Ridder, Day, Walgren, Odegaard, Donohue, Durkan and Washington: Requesting study of governmental employees' stipends and sabbatical leaves.	313				314	315 Adopted
Ex. 18. Senators Atwood, Ryder, Greive and Bailey: Requesting examination of government training stipends and on-the-job training programs.	315				316	317 Not Adopted
Ex. 19. Senators Lewis (Harry), Knoblauch, Faulk, Stortini, Newschwander and McCutcheon: Congratulating Tacoma Youth Symphony on selection to attend the International Festival of Youth Orchestras in Switzerland.	367					367 Adopted
Ex. 20. Senators Peterson (Lowell), Connor, Dore, Twigg, Ryder, Woodall, Atwood, Lewis (Harry), Gissberg, Keefe, Donohue, Day and McCormack: Expressing appreciation to Thurston county service clubs and organizations for hospitality.	367				368	368 Adopted
Ex. 21. Senators Metcalf, Knoblauch, Ridder and Faulk: Instructing superintendent of public instruction to develop presentation of anticipated costs of school informational needs and a coordinated automated information system.	368		420		368, 382, 385, 420	420 Adopted
Ex. 22. Senators Peterson (Lowell), Day, Durkan, Atwood, Dore and McCormack: Requesting determination whether suit can be brought against automobile manufacturers to abate use of polluting exhaust systems.	383				383	383 Adopted

Ex. 23. Senators Mardesich and Ryder: Directing a study of industrial insurance and workmen's compensation laws and their administration.	383		384	Not Adopted
Ex. 24. Senators Mardesich, Gissberg and Metcalf: Requesting consideration of establishing community college training center at Paine Field.	420	421	421	Adopted
Ex. 25. Senators Faulk, Stortini, Francis, Day, Peterson (Ted), Elicker, Dore and Connor: Requesting study of day care facilities throughout state by legislative council.	421	476	422	476 Adopted
Ex. 26. 48 Senators: Extending sympathy to Senator Dore and his family regarding bombing of his home.	417		424	417 Adopted
Ex. 27. Senators Stender, Ridder and Herr: Commending Tyee high school concert band and best wishes on European tour.	418			418 Adopted
Ex. 28. Senators Ridder, McCutcheon, Odegaard and Bailey: Directing study of feasibility of developing large and small high school cooperative exchange project.	422		423	477 With-drawn
Ex. 29. Senators Lewis (Brian), Holman, Twigg, Ryder, Dore, Herr and Ridder: Favoring promotion of shortest most economical air routes to Orient between Seattle-Tacoma airport and Tokyo.	423			423 Adopted
Ex. 30. Senators Newschwander, McCormack, Canfield, Mardesich, Atwood, Andersen and Foley: Authorizing study of local government costs of administering programs of tax exemptions or deferrals for the elderly.	476			476 Adopted
Ex. 31. Senators Faulk, Mardesich, Metcalf, Peterson (Ted), Pritchard and Gissberg: Directing study of relocation of railroad away from Puget Sound shoreline.	476			477 Laid on Table
Ex. 32. Senators Woodall, Twigg, Canfield, Henry, Matson, Gissberg, McDougall and Donohue: Requesting study investigating methods to authorize certain lottery and gambling activities.	477			477 Adopted
Ex. 33. Senator Pritchard: Requesting review policies relating to condominium development on forest service lands.	498			498 Adopted
Ex. 34. Senators Washington, Bailey, Elicker, Holman, Day and Greive: Relates to establishment of national legislative assembly.	498		499	499 Adopted
Ex. 35. 48 Senators: Expressing sympathy to Senator Woodall on death of his father.	497		497	497 Adopted
Ex. 36. Senator Peterson (Ted): Requesting consideration of Senate employees information problem when considering Senate facilities alterations.	499	500		500 Adopted
Ex. 37. Senators Washington and Canfield: Recommending study of advisability of forming a planning and recommendatory Yakima Basin agency.	516		516	517 Adopted

TITLE AND HISORY OF SENATE FLOOR RESOLUTIONS—SECOND EXTRAORDINARY SESSION—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
Ex. 38. 49 Senators: Opposing introduction of any further resolutions on thirtieth legislative day.	517					517 Laid on Table
Ex. 39. Senators Bailey and Ryder: Directing completion of work of second extraordinary session.	559					561 Adopted
Ex. 40. Senators Greive, Atwood, Bailey and Ryder: Extending gratitude to press, television and radio services.	561					561 Adopted
Ex. 41. Senators Bailey, Greive, Ryder and Atwood: Notifying House that Senate is about to adjourn <i>SINE DIE</i>	561					561 Adopted
Ex. 42. Senators Bailey, Ryder, Greive and Atwood: Indefinitely postponing remaining bills in Senate.	562				562, 564	562 Adopted

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
2. Representative Evans, Cunningham, DeJarnatt and Mentor: Requiring unloaded school buses to stop before crossing railroad tracks.	254	254	363							
3. Representatives Copeland and Shera: Specifying number of directors and officers of professional corporations.	254	254								
5. Representatives Conner and Marzano: Creating a tax exemption for sheltered workshops.	159	159	364	396	396	396	312, 458	467	476	Signed CH. 81
6. Representative Conner: Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.	254	255	319	401	401	401		467	476	Signed CH. 73
9. Representatives Goldsworthy, Lynch, Marsh, Hawley, Gallagher, Ceccarelli, Merrill, Savage, Spanton, Kalich, Jastad, Wolf, Hubbard, Barden, Marzano, Beck, Bozarth, Conner, Cunningham, Kirk, Anderson, Litchman, Backstrom and Martinis: Authorizing compensation for veterans of the Viet Nam conflict.	413	413	493	493	493	493	503	514	516	VETOED
13. Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe: Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.	166	166	364, 482, 494	402	402	403, 495	457, 482, 493, 494, 503	514	516	Signed CH. 86
15. Representatives Wolf, Haussler, Newhouse, Chapin, Conway, Kalich, North, Cunningham, Barden, Jastad, Bluechel, Brown, Bledsoe and Mahaffey: Regulating surface mining.	159	159								

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TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
17. Representatives Wolf, Jastad, Curtis and Ceccarelli: Making the limitation of quantity in retail sales an unfair business practice.	254	255								
19. Representatives Wolf, Curtis and Ceccarelli: Permitting licensing of out-of-state beer and wine salesmen and increasing agent's license fee.	254	255								
21. Representatives Whetzel and Clark (Newman H.): Authorizing cities and counties to impose a sales and use tax.	303	304	319, 323	459	464	465, 543	543, 544	562	562	Signed CH. 94 P. V.
23. Representatives Marsh, Kirk, Leckenby, Bagnariol, Ceccarelli and Merrill: Requiring the disclosure of birth defects by adoption agencies.	254	255	319	394	395	395	419	467	476	Signed CH. 82 P. V.
26. Representatives Newhouse, Charette, Bledsoe, Wolf, Cunningham, Barden, Amen, Benitz, North, Bluechel, Marsh, Pardini, Curtis, O'Dell, Zimmerman and Spanton: Relating to open spaces.	83	83	323, 411	477	480	481	493	514	516	Signed CH. 87
27. Representatives Chapin, Brouillet, McCaffree, Randall, Cunningham, Barden, Bluechel, North, Bottiger, Zimmerman, Brown, Litchman, Bledsoe, Lynch, Leckenby, Adams (by Temporary Special Levy Study Commission request): Authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief.	181	182					312			
33. (Substitute) Committee on Appropriations: Making appropriations.	413	413	414, 544	416	416	417, 545	414, 417, 492, 515, 544, 545	562	562	Signed CH. 95 P. V.

34. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to revenue and taxation.	181	182	309	355	356	356	.....	380	380	Signed CH. 8
35. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to motor vehicles.	181	182	310	366	366	366	.....	380	380	Signed CH. 9
36. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to elections.	181	182	310	356	356	357	.....	380	380	Signed CH. 10
37. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to metropolitan municipal corporations.	181	182	310	357	357	357	.....	380	380	Signed CH. 11
38. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to state government.	182	182	310	357	357	357	.....	380	380	Signed CH. 12
39. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to intoxicating liquor.	182	182	310	358	358	358	.....	380	380	Signed CH. 13
40. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to public lands.	182	182	310	359	359	359	.....	380	380	Signed CH. 14
41. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to education code.	182	182	310	359	359	359	.....	380	380	Signed CH. 15
42. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Updating repealer of old school code, effective when new education codes take effect.	182	182	310	368	368	368	360	419	419	Signed CH. 16
46. Representatives Wolf, Bottiger, Conway, Conner and Adams: Providing post retirement adjustments in retirement allowances for public employees' retirement system.	254	255	311	371	371	371	362	419	419	Signed CH. 68

55. Representatives McCaffree, King, Swayze, Bledsoe, Ceccarelli, Evans, Farr, Kiskaddon, Leckenby, Murray, Smythe, Williams, Grant and Chatalas (by executive request): Making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age.	115	115	.....	.....	.....	.....	.....	.....	.....
56. (Substitute) Committee on Local Government: Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.	254	255	319	.....	.....	.....	.....	.....	.....
60. (Substitute) Committee on Revenue and Taxation: Relating to revenue and taxation.	413	413	466	489	490	490	.....	514	516	Signed CH. 89
62. (Substitute) Committee on Revenue and Taxation: Relating to revenue and taxation.	413	413	.....	.....	.....	.....	.....	.....	.....	.....
63. Representatives Richardson, Charette and Clarke (George W.): Requiring associations of municipal corporations to submit recommendations for improvements.	254	255	319	372	372	372	.....	419	419	Signed CH. 69
66. Representatives Flanagan, Jolly, Benitz, Hausler and Evans: Implementing law relating to irrigation district local improvement districts. ..	254	255	319	377	377	377	.....	419	419	Signed CH. 70
69. Representatives Leckenby, DeJarnatt and Mentor: Prohibiting the use of prisoner's earnings to defray expenses.	254	255	319	.....	.....	.....	.....	.....	.....	.....
72. Representatives Schumaker, Beck and Clarke (George W.): Authorizing interstate purchase of shotguns and rifles.	254	255	364	401	402	402	.....	467	476	Signed CH. 74
74. Representatives Morrison, O'Brien, Fleming, Charette, Bagnariol, Gladder, Shera, Kuehnle, Richardson and Ceccarelli (by Public Employees' Retirement System and Public Pension Commission request): Relating to the retirement and pensions of law enforcement officers and fire fighters.	128	128	195, 303	323	324	324	315	380	380	Signed CH. 6
87. Representatives Kopet, DeJarnatt and Goldsworthy: Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.	254	255

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NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
88. Representatives McCaffree, Randall, Chapin, Bledsoe, Swayze and Adams (by Temporary Special Levy Study Commission request): Changing effective date of income tax reform package and providing income tax credit for property taxes.	182	183					312			
97. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Adding two judges of the court of appeals to the judicial council.	254	255								
103. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Increasing jurisdiction of small claims department of justice courts.	254	256	364	405	405	405	419	467	476	Signed CH. 83
116. Representatives North, Chatalas, King, Smythe, Scott, Charette, Copeland and Sprague: Relating to abortion and providing for a referendum.	159	159								
118. Representatives Bottiger, Whetzel and Harris (by Legislative Council request): Granting superintendents authority to make payment from patients' accounts.	254	256	319	409	409	409		467	476	Signed CH. 75
126. Representatives Amen, Jolly and Flanagan: Relating to irrigation and reclamation districts. ...	254	256	320	377	377	377		419	419	Signed CH. 71
127. Representatives Clark (Newman H.), Wojahn and Hurley: Providing minimum pension for certain pensioners under supreme court judges' retirement act.	382	382	411	519	519	520		562	562	Signed CH. 96

129. (Substitute) Committee on Education and Libraries: Reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents.	254	256	320, 541	376	376	376	420, 541	467	476	Signed CH. 84
135. Representatives Richardson, Kuehnle, Kopet and Pardini: Authorizing excess levies by townships.	254	256	.....	.....	.....	.....	.....	.....	.....	.....
140. Representatives Zimmerman, Smythe, Marsh and Sprague: Establishing a system of state recreational trails.	303	304	364	403	403	404	.....	467	476	Signed CH. 140
142. Representatives Leland, Perry and Berentson: Appropriating funds for maintenance and operation of state highways.	128	128	364	486	486	486	.....	514	516	Signed CH. 91
145. Representatives Clarke (George W.), Swayze, Clark (Newman H.) and Ackley: Relating to lawyers' code of ethics.	254	256	320	.....	.....	.....	.....	.....	.....	.....
158. Representatives Wojahn, Shera and Bottiger: Including certain nonprofit organizations in definition of debt adjuster.	254	256	320	398, 399	398, 400	398, 400	399, 503, 514, 562	562	562	Signed CH. 97
162. Representatives Richardson, Lynch, Chapin, Hurley and Wolf: Relating to civil disturbance and providing penalties.	303	304	364, 513, 515	395	396	396, 516	475, 500, 513, 515, 525	558	559	Signed CH. 98
164. Representatives Sprague, Chatalas, Fleming and Litchman: Authorizing first class cities to contract with United States under Demonstration Cities and Metropolitan Development Act of 1966.	254	256	320	378	378, 409	410	378	467	476	Signed CH. 77
169. (Substitute) Committee on Agriculture: Relating to agriculture.	254	256	320, 482	385, 391	393	393	372, 386, 392, 457, 458, 482, 491	500	512	Signed CH. 90
173. Representatives Goldsworthy and Saling: Making appropriations.	526	526	.....	526	526	526	.....	562	562	Signed CH. 89
176. Representatives Harris, May, O'Dell and Pardini: Providing Spokane county with an eighth justice of the peace.	254	256	.....	.....	.....	.....	.....	.....	.....	.....
180. (Substitute) Committee on Revenue and Taxation: Reducing property tax millage limitations by one-half.	254	256	459	487	489	489	500	514	516	Signed CH. 92

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NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
190. Representatives Copeland and Charette: Appropriating funds for legislative expense.	79	80	.....	80	80	80	.....	83	83	Signed CH. 1
201. Representatives Leland, Veroske and Gallagher: Authorizing establishment of speed limits for auto stages.	254	256	311, 525	360, 376	376	376	361, 458, 484, 525, 553	562	562	Signed CH. 100
202. Representatives Kuehnle, Hatfield, Richardson and Pardini: Increasing interest rate on assessments of county road improvement districts. ...	254	256	.....	.....	.....	.....	.....	.....	.....	.....
203. Representatives Wolf, Bottiger, McCaffree, Kirk, Cunningham, Williams, Smythe and Mahaffey: Establishing health care programs for state employees.	254	257	320	.....	.....	.....	267, 372, 373, 398	.....	.....	.....
204. (Substitute) Committee on Higher Education: Clarifying the position covered by the definition of faculty appointment as applies to community colleges.	254	257	.....	.....	.....	.....	.....	.....	.....	.....
215. Representatives Kopet and Haussler (by departmental request): Establishing salary funds and claims funds for counties.	254	257	320	.....	.....	.....	.....	.....	.....	.....
220. (Substitute) Committee on Public Health and Welfare: Pertaining to public hospital districts.	254	257	311	362	362	362	.....	380	380	Signed CH. 7
226. Representative Beck: Relating to motor vehicle speed.	254	257	311	.....	.....	.....	.....	.....	.....	.....
232. (Substitute) Committee on Revenue and Taxation: Repealing B & O exemption as to financial institutions.	545	545	.....	545	545	545	.....	562	562	Signed CH. 101

237. Representatives Adams and Swayze: Pertaining to the organization and operation of miscellaneous and mutual corporations.	254	257	365	409	409	409	.....	467	476	Signed CH. 78
239. Representatives Smythe, Fleming and Sprague: Relating to public contracts.	254	257	.....	.....	.....	.....	.....	371, 372	.....	.....
242. Representatives Lynch, Brouillet, Smythe, King and Litchman (by Council on Higher Education request): Relating to the commission on higher education.	254	257	381	.....	.....	.....	.....	.....	.....	.....
251. Representatives King, Smythe and Kiskaddon: Providing for deferred retirement allowances. ...	254	257	321	394	394	394	.....	467	476	Signed CH. 79
253. Representatives Lynch, Sprague and Goldsworthy: Authorizing increases in tuition and incidental fees for institutions of higher education.	467	475	492, 514	517	517	517	492	558	559	Signed CH. 102
258. (Substitute) Judiciary Committee: Relating to discrimination.	254	257	365	.....	.....	.....	.....	.....	.....	.....
273. Representatives Richardson and Kuehnle: Pertaining to the business and occupation tax as applied to real estate brokers.	413	414	497	.....	.....	.....	.....	.....	.....	.....
278. Representatives Thompson, Flanagan and Zimmerman: Defining water to include salt and saline waters.	303	304	.....	.....	.....	.....	.....	.....	.....	.....
292. Representative Williams: Pertaining to communications.	254	257	365	.....	.....	.....	.....	.....	.....	.....
293. Representatives Schumaker, Morrison, Jueling, Benitz, Anderson, Barden, Conway, Kuehnle, Wanamaker, Mentor, Haussler, Gladder, Jolly, Gallagher and Smythe: Establishing new definitions within the explosive law.	254	257	321	378	378	379	.....	419	419	Signed CH. 72
295. Representative Clarke (George W.): Pertaining to crimes and criminal procedure.	303	305	365	404	404	404	.....	467	476	Signed CH. 80
304. Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by executive request): Relating to toll facilities and financing.	159	159	321	373	375	375	374, 420	467	476	Signed CH. 85 P. V.
312. (Substitute) Committee on Appropriations: Providing for the efficient organization and for the effective operation of the state building authority.	413	414	514	517	517	517	.....	558	559	Signed CH. 103

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
318. (Substitute) Committee on Appropriations: Authorizing temporary loans from funds in the state treasury to the building authority for capital construction, projects at the institutions of higher education.	413	414	514	518	518	518	.....	558	559	Signed CH. 104
326. Representatives Bledsoe, Chatalas, Shera, Leck-enby, Charette and Pardini: Permitting state agencies, municipalities, fiduciaries to invest in "A" rated bonds of specified institutions.	254	257	365	405	408	408	407, 491	500	512	Signed CH. 326

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NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
2. Representatives Kink, Veroske and Farr: Requesting Blaine Peace Arch commemorative stamp and inviting President Richard M. Nixon to attend fiftieth anniversary celebration.	254	258	311	311	311	311	.....	358	359
3. Representatives Charette, Chatalas, Goldsworthy, Anderson, Gallagher, Swayze, King, Conner, Merrill, Kink, Kalich, Hurley, O'Brien, Bozarth, Cunningham, Haussler, Moon, Backstrom, Wojahn, Copeland, Fleming, Newhouse, Martinis, Jastad, Adams, Rosellini, Bottiger, Bagnariol, Marzano, May, Wolf, Brouillet, Richardson, Farr, Ceccarelli, Sawyer, Ackley, McCormick and Randall: Relates to Viet Nam conflict, prisoners of war.	254	258	312	312	312	312	.....	358	359

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
5. Representatives Swayze, Ceccarelli, Brown, Bledsoe, Bluechel, Chapin, Clarke (George W.), Curtis, Kiskaddon, Kopet, Leckenby, Mahaffey, Murray, Pardini, Merrill and Litchman (by executive request): Amending Constitution to require annual sessions of the legislature.	303	305							
6. Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by executive and secretary of state request): Amending Constitution to lower voting age to nineteen years; Indians vote.	115	115	321	369	370	370		401	401
8. Representatives Bledsoe, Kuehnle, Conway, Swayze, Bluechel, North, Amen, Chapin, McCaffree, Lynch, Veroske, Farr, Murray, Clarke (George W.), Kopet, Wanamaker, Hawley, Gladder, Mentor, Curtis, Pardini, Leckenby, Shera, Zimmerman, Copeland and Mahaffey (by Legislative Council request): Changing the procedure for amending the Constitution.	159	159							

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate
1. Representative Bledsoe: Notifying Governor that the legislature is organized.	6	6	.....	6	6	6	7	26	26
2. Representative Bledsoe: Joint session to receive Governor's message to the legislature.	6	6	.....	7	.....	7	.....	26	26
3. Representatives Fleming, Sprague and Whetzel: Commemorating the birthday of Dr. Martin Luther King, Jr. .	47	52	365	.....	.....	.....	.....	.....	.....
4. Representatives Harris, May, Pardini, Richardson, Hurley, Saling, Kopet, Gladder, Kuehne and McCormick: Commending development of Spokane centennial celebration.	54	79	365	.....	.....	.....	.....	.....	.....
5. Representatives Sprague, Lynch, Zimmerman, Brouillet, Fleming and King (by Urban Affairs Council request): Directing a review of teacher preparation program of public and private institutions of higher education.	254	258	381	.....	.....	.....	.....	.....	.....
6. Representative Conway: Providing for study on price structure of gasoline and petroleum throughout areas of state.	254	258	.....	.....	.....	.....	.....	.....	.....
8. Representatives Copeland and Charette: Relates to extension of legislative session.	495	495	.....	495	495	495	.....	514	516
9. Representative Bledsoe: Relates to adjournment <i>SINE DIE</i>	562	562	562	562	562	563, 564	563	563

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- Highways, county use provisions, *SB 61, CH. 30 2nd EX.
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- Livestock, shooting, killing, without permission, penalty, SB 190, *Sub HB 169, CH. 90
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Political subdivisions, personal property, use, sales tax, exempted, *SB 13, CH. 65 2nd EX. PV.
- School districts, small, dissolution, provisions, SB 279, *HB 13, CH. 86 2nd EX.

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- Prosecuting attorneys, criminal cases, state appeal rights, expanded, SB 98.

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- Environmental pollution, cases, expediting requirements, *SB 2, CH. 41 2nd EX.
- Industrial insurance, workmen's compensation, administration, study, SFR 23 pp. 383, 38-
- Judges, election filing, position number provisions, *SB 67, CH. 19 2nd EX.
- Illness, vacancies, temporary appointment provisions, *SB 67, CH. 19 2nd EX.
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- Advertising commission, certain promotion activities, authorized, SB 62.

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- Budget, supplemental, *Sub HB 33, CH. 95 2nd EX. PV.
- Cispus, educational center, Randle, environmental education project, *Sub HB 33, CH 95 2nd EX. PV.
- Education board, community school programs, SB 198.
- Employees' insurance board, HB 203, *SB 179, CH. 39 2nd EX.
- Environmental quality, seacoast management, SB 58.
- Highway commission, additional ferries, *HB 304, CH. 85 2nd EX. PV.
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- Kidney center, temporary, *Sub HB 33, CH. 95 2nd EX. PV.
- Legislative council, *HB 173, CH. 99 2nd EX.
- Legislature, operation expenses, *HB 173, CH. 99 2nd EX., *HB 190, CH. 1 2nd EX.
- Motor vehicles department, nursing home administrator licensing, SB 161, *Sub SB 161, CH. 57 2nd EX. PV.
- Northwest environmental center, joint board, administration, SB 59.
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- State, local government, title only bill, *HB 173, CH. 99 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Treasurer, cities, towns, local sales tax income, adjustment distribution purposes,
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- State government, measures, consideration, time extended, *SCR 6.
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- Statute law committee, bill drafting, *HB 173, CH. 99 2nd EX., *HB 190, CH. 1 2nd EX.
- Superintendent of public instruction, urban, racial, disadvantaged programs, SB 215,
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- Warrants, existence declaration, arrest permitted, SB 100, *Sub SB 99, CH. 49 2nd EX.
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- Irrigation districts, improvements, financing, authorized, *HB 66, CH. 70 2nd EX.
- Manual, operations, procedures, distribution provisions, SB 35, *SB 144, CH. 55 2nd EX.
- Open space land, current usage assessment, SB 5, SB 307, *HB 26, CH. 87 2nd EX.
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- Taxing districts, actual value basis, indebtedness limitation calculations, *SB 40, CH. 42 2nd EX.

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- Credit, B & O tax, certain activities, exempted, SB 260, Sub SB 123.
- Insurance guaranty, created, SB 42, SB 133, Sub SB 133.
- Municipal corporations, officers, reports, efficiency recommendations, submission, SB 203, *HB 63, CH. 69 2nd EX.
- Nonprofit, rehabilitation services, institutionalized persons, authorized, *SB 105, CH. 50 2nd EX. PV.

ATTORNEY GENERAL:

- Law practice, private, prohibited, SB 120.
- Pollution, automobile exhaust systems, use abatement
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

- BAY, MRS. T. J.:**
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- BEALL, DR. JOSEPH:**
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- BELLEVUE COMMUNITY COLLEGE:**
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- BIG BEND COMMUNITY COLLEGE:**
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- *Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
**Appointment confirmed.
GA—Governatorial Appointment.
SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Open space, park, health, storm water facilities, development, county issuance provisions, *SB 61, CH. 30 2nd EX.
- Outdoor recreation areas, sales, time, interest rate limitations, removed, *SB 311, CH. 40 2nd EX., Referendum No. 21.
- Public, interest rate, issuing authority determination provisions, SB 146, *Sub SB 146, CH. 56 2nd EX.
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- Retained percentage, contractors, public works, investment provisions, *SB 164, CH. 38 2nd EX.
- Schools, common, covenants, financing, sale, provisions revised, SB 326.
- State employees, insurance, liability bonds, acquisition provisions, SB 173.
- Viet Nam veterans' bonus, cigarette excise tax, redemption, SB 4, *HB 9 VETOED.
- Water pollution control facilities, matching funds, sales, time, interest rate limitations, removed, *SB 318, CH. 67 2nd EX., Referendum No. 23.

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- Veterans, Viet Nam, payments, *HB 9 VETOED.

BORDSEN, EDWARD S.:

- Everett community college, trustee,
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- Columbia basin community college, trustee,
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- Central Washington state college, trustee,
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- Lower Columbia community college, trustee,
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- Community college district No. 21, trustee,
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- Appropriations, supplemental, *Sub HB 33, CH. 95 2nd EX. PV.
- Highway commission, maintenance operation, *HB 142, CH. 91 2nd EX.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

BUDGETS—Continued:

- School districts, remote, 1969 state budget formula, revised, SB 74.
- State government, measures, consideration, time extended, *SCR 6.
- Supplemental, *Sub HB 33, CH. 95 2nd EX. PV.

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- Code, state, adopted, SB 78.
- Colleges, universities, certain projects, construction authorized, *Sub HB 318, CH. 104 2nd EX.
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- Council, state code, created, SB 78.
- Evergreen state college, construction, specific approval, time provision, *Sub HB 312, CH. 103 2nd EX.
- Facilities division, education board, created, SB 102.
- High-rise, multi-storied, waterfront, construction limitation, SB 58.
- Industry, industrial insurance, protective dividend formula, dividends, SB 169.
- Safety division, renamed, building and construction safety inspection services division, *SB 126, CH. 22 2nd EX.
- Schools, construction, modifiable basic plans, SB 102.
- State building authority, duties, functions, general amendments, *Sub HB 312, CH. 103 2nd EX.

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- Viet Nam, non-service connected death, certain circumstances, burial expense provisions, *HB 9 VETOED.

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- Auto stages, highway speed limit, established, SB 202, *HB 201, CH. 100 2nd EX.
- Commercial coaches, recreational vehicles, design, equipment, safety regulation, *SB 277, CH. 27 2nd EX.
- Private carriers, signal devices, traffic regulations, provisions, *HB 201, CH. 100 2nd EX.
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- Business, professions, certain, license fees increased, SB 189, Sub SB 189.
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- Western Washington State college, trustee, appointment, **GA 20 pp. 93, 321, 508

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- Centralia community college, trustee, appointment, **GA 90 pp. 100, 144, 342

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- State employees, certain political activities, authorized, SB 128.

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- Fishing, offshore, traditional limits retention, petitioned, SJM 4.
- Peace arch, commemorative stamp, issuance petitioned, *HJM 2.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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Hooper, Dr. William, trustee,
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Hamilton, Ernest, trustee, appointment,
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Koenninger, A. T., Jr., trustee,
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Martin, Vernon L., trustee,
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Peninsula community college, trustee,
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PV.
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Motor vehicles, moving, standing, front seat, prohibited, SB 252.
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Disability insurance, services, covered, SB 103.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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Taxes, excise, Viet Nam veterans' bonus, bonds redemption, SB 4, *HB 9 VETOED.

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Bonds, obligations, interest rate, issuing authority, determination provisions, SB 146, *Sub SB 146, CH. 56 2nd EX.

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Gambling, local government authorization, taxation, prohibited, Sub HB 50, SB 69, SB 176.

Insurance premiums, tax imposition authorized, SB 263.

Local government, title only bill, SB 271.

Local improvement installment notes, financial institutions investment, permitted, *HB 326, CH. 93 2nd EX.

Motor vehicle fuel, tax imposition authorized, SB 263.

Municipal corporations, associations, officers, reports, efficiency recommendations, submission, SB 203, *HB 63, CH. 69 2nd EX.

Officials, liability, municipal employee injury claims, SB 79.

Organization, constitutional amendment, title only bill, SJR 13.

Public works, contracts, over \$10,000, bids required, SB 77.

Sales, use tax, imposition authorized, *HB 21, CH. 94 2nd EX. PV.

State funds, appropriated, sales tax imposition, distribution formula, *Sub HB 33, CH. 95 2nd EX. PV.

Taxes, insurance premiums, imposition authorized, SB 263.

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Taxing districts, actual value assessments, indebtedness limitation calculations, *SB 40, CH. 42 2nd EX.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

CITIES AND TOWNS—Continued:

- Townships, excess tax levies, authorized, HB 135.
- Fiscal support, title only bill, SB 285.
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- Demonstration cities, metropolitan development act, contracts authorized, SB 185, *HB 164, CH. 77 2nd EX.
- Motel, hotel rentals, sales tax, stadium fund allocation, SB 153, *Sub HB 60, CH. 89 2nd EX.
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- Divorce, residency requirement, reduced, *SB 15, CH. 28 2nd EX.
- Eighteen year olds, legal majority, SB 160.
- Upwards, certain purposes, legal age, HB 55, SB 54, *SB 27, CH. 17 2nd EX.
- Garnishments, employer, withholding, amounts, lien, provisions, *SB 266, CH. 61 2nd EX.
- Justice court, small claims department, jurisdiction, amount increased, *HB 103, CH. 83 2nd EX.
- Law enforcement, accused, authorities, relationship clarification, petitioned, SJM 7.
- Majority, age 18, SB 160.
- Municipal employees, injury claims, officials' liability, SB 79.

CIVIL DISTURBANCES:

- Picketing, public properties, business, traffic obstruction, prohibited, *HB 162, CH. 98 2nd EX.
- Schools, interference, intimidation, unlawful, penalties, *HB 162, CH. 98 2nd EX.

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- Accused persons, constitutional rights, sound, video recordings, permitted, *SB 95, CH. 48 2nd EX.
- Discrimination board, renamed, human rights commission, Sub HB 258.

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- Liquor vendors, exempted, SB 205.
- State, employees, certain political activities, authorized, SB 128.

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- Hinds, O. Loyd, Sr., trustee, appointment, **GA 98pp. 100, 145, 344
- Irwin, Clarence, trustee, appointment, **GA 100pp. 100, 145, 344
- Keil, Ronald, trustee, appointment, **GA 97pp. 100, 145, 343
- Lawton, Richard E., trustee, appointment, **GA 99pp. 100, 145, 344
- Mage, Mrs. Betty J., trustee, appointment, **GA 101pp. 100, 145, 345

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- Higher education personnel board, appointment, **GA 12 pp. 95, 322, 507

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- Big Bend community college, trustee, appointment, **GA 117pp. 101, 147, 349

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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- Davis, James A., trustee, appointment, **GA 82 pp. 99, 142, 339
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- Building, state, SB 78.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Adams, O. C., trustee, appointment, **GA 124 pp. 102, 148, 351
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- Davis, Terrill, trustee, appointment, **GA 126 pp. 102, 149, 351
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- Western Washington state college, trustee, appointment, **GA 22 pp. 95, 321, 509

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- Commerce, manufacturing, title bill only, SB 110, SB 112.
- Railroads, Puget Sound shoreline, inland relocation, study, SB 30.
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- Higher education, chairman, qualification, revision, HB 242, *HB 253, CH. 102 2nd EX.
- Hospital rate, established, duties, SB 327.
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- Irrigation district employee, authorized, SB 187.
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- Teachers' professional practice, established, duties, SB 213.
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- Outdoor recreation areas, bond sales, time, interest rate limitations, removed, *SB 311, CH. 40 2nd EX., Referendum No. 21.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Lake Washington state park and nature conservation area, created, SB 87.
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 - Funds, temporary interfund loans, authority, *Sub HB 318, CH. 104 2nd EX., Referendum No. 23.
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- Safety division, renamed, building and construction safety inspection services division, *SB 126, CH. 22 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Colleges, universities, local, protective services, authorized, SB 168.
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- Aeronautics commission, appointment, **GA 25 pp. 95, 366, 509

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- Incorporators, self, own property, real estate excise tax, exempted, *SB 13, CH. 65 2nd EX. PV.
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- Community, annexation, title only bill, SB 293.
- Environmental quality advisory, created, HB 47, SB 47, *SB 1, CH. 62 2nd EX. PV.
- Higher education, Barron, J. Scott, member, appointment, **GA 153 pp. 382, 412, 512
- Bridges, Leon, member, appointment, **GA 148 pp. 382, 412, 512
- Chase, Goodwin, member, appointment, **GA 145 pp. 382, 411, 510
- Gaiser, Mrs. David, member, appointment, **GA 149 pp. 382, 412, 511

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Solid waste management districts, created, duties, SB 188.
- Taxes, insurance premiums, imposition authorized, SB 263.
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 - Property, actual value assessment, indebtedness limitation calculations, *SB 40, CH. 42 2nd EX.
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- PUD's, legal counsel, duties, SB 143.

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- Felonies, knowledge concealment, crime, SB 97, *Sub SB 99, CH. 49 2nd EX. PV.
- Higher, judges, salaries increased, SB 44.
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- Judicial services, administration improvement, study,
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- Superior, filing fees, certain, increased, *SB 81, CH. 32 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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CREEL, H. P.:

Skagit valley community college, trustee, appointment,
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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DAVIS, TERRILL:

Columbia basin community college, trustee, appointment,

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DECCIO, ALEX:

Yakima community college, trustee, appointment,

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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DOMASKIN, JEFF:

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DUFFY, C. W.:

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
**Appointment confirmed.
GA—Governatorial Appointment.
SFR—Senate Floor Resolution.

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Tacoma community college, trustee, appointment,

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Teachers, preparation programs, review, HCR 5.
- Professional practice commission, established, duties, SB 213.
- Public schools, employment rules, procedures, SB 73.
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- Vocational rehabilitation, division abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. PV.

EIDAL, DR. RICHARD A.:

- Green River community college, trustee, appointment,
 **GA 77 pp. 99, 142, 338

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- Liquor control board, member, appointment,
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 **Appointment confirmed.
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**Appointment confirmed.

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 **Appointment confirmed.
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**Appointment confirmed.

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- **Appointment confirmed.
- GA—Governatorial Appointment.
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**Appointment confirmed.

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Irwin, Clarence, Clark community college, trustee board member, **GA 100	pp. 100, 145, 344
Jacobs, Williams C., labor and industries department, director, **GA 5	pp. 96, 181, 505
James, Harry C., Grays Harbor community college, trustee board member, **GA 39	pp. 97, 136, 327
James, Leslie W., Walla Walla community college, trustee board member, **GA 127	pp. 102, 149, 351
Jaquette, Mrs. Harriet S., Bellevue community college, trustee board member, **GA 70	pp. 99, 141, 336
Johnson, Harris, Peninsula community college, trustee board member, **GA 37	pp. 97, 136, 327
Judd, Dean, Big Bend community college, trustee board member, **GA 121	pp. 101, 148, 350
Katagiri, Mineo, higher education council, member, **GA 151	pp. 382, 412, 511
Keil, Ronald, Clark community college, trustee board member, **GA 97	pp. 100, 145, 343
Kelly, Dr. Sam P., community college district 21, trustee board member, **GA 135	pp. 102, 150, 353
Kennelly, William F., Green River community college, trustee board member, **GA 80	pp. 99, 142, 339
Kintner, Dr. Robert N., Wenatchee community college, trustee board member, **GA 103	pp. 101, 145, 345
Knutsen, Mrs. Ina V., Shoreline community college, trustee board member, **GA 62	pp. 98, 139, 334
Koenniger, A. T., Jr., Centralia community college, trustee board member, **GA 88	pp. 100, 143, 341
Kohler, Max, Big Bend community college, trustee board member, **GA 119	pp. 101, 148, 349
Landon, Evert, community college education board, trustee, **GA 31	pp. 96, 135, 325
Lane, Dr. Wallace, health department, director, GA 6	p. 94
Lawton, Richard E., Clark community college, trustee board member, **GA 99	pp. 100, 145, 344
Leonard, Robert V., Shoreline community college, trustee board member, **GA 63	pp. 98, 139, 334
LePenske, Edward, Highline community college, trustee board member, **GA 63	pp. 99, 141, 337

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

GUBERNATORIAL APPOINTMENTS—Continued:

Long, John C., aeronautics commission, member, **GA 24 pp. 95, 366, 509

Ludwick, Joan, Wenatchee community college, trustee
board member, **GA 106 pp. 101, 146, 346

Lundberg, David, Highline community college, trustee
board member, **GA 74 pp. 99, 141, 337

McCann, Dr. J. W., Skagit Valley community college,
trustee board member, **GA 49 pp. 98, 138, 330

McChesney, Don C., Shoreline community college, trustee
board member, **GA 64 pp. 98, 139, 335

McCurdy, James G., parks and recreation commission,
member, GA 144 p. 313

McKellar, James G., community college district 21, trustee
board member, **GA 136 pp. 102, 150, 354

McKinney, Dr. William J., Grays Harbor community college,
trustee board member, **GA 38 pp. 97, 136, 327

Mage, Mrs. Betty J., Clark community college,
trustee board member, **GA 101 pp. 100, 145, 345

Mar, Mrs. Roy S., Seattle community college,
trustee board member, **GA 61 pp. 98, 139, 334

Martin, Abe J., Lower Columbia community college,
trustee board member, **GA 96 pp. 100, 144, 343

Martin, Vernon L., Centralia community college,
trustee board member, **GA 87 pp. 100, 143, 341

Mathews, Hugh L., Green River community college,
trustee board member, **GA 79 pp. 99, 142, 339

Menella, Vincent, Highline community college, trustee
board member, **GA 72 pp. 99, 141, 337

Mosier, John, higher education council, member,
**GA 146 pp. 382, 411, 510

Mottley, Mrs. Ruth F., Yakima community college,
trustee board member, **GA 111 pp. 101, 147, 347

Murray, Mrs. Shirley S., Highline community college,
trustee board member, **GA 73 pp. 99, 141, 337

Myers, Mrs. Maxine, Tacoma community college,
trustee board member, **GA 139 pp. 102, 150, 355

Nelskog, Mrs. Anne, Everett community college,
trustee board member, **GA 55 pp. 98, 140, 332

Nelson, Barbara R., Eastern Washington state college, trustee
board member, **GA 17 pp. 93, 322, 508

Norman, Glen R., higher education personnel board,
member, **GA 11 pp. 95, 322, 506

Oldenburg, Norman P., Skagit Valley community college,
trustee board member, **GA 51 pp. 98, 138, 331

Olson, Robert, Green River community college, trustee
board member, **GA 81 pp. 99, 142, 339

O'Neill, John, Olympic community college, trustee
board member, **GA 44 pp. 97, 137, 329

Perrigo, Lyle D., Columbia Basin community college,
trustee board member, **GA 125 pp. 102, 149, 351

Peterson, Roy S., Bellevue community college,
trustee board member, **GA 69 pp. 99, 141, 336

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

GUBERNATORIAL APPOINTMENTS—Continued:

Peyton, Avery, community college education board, trustee, **GA 30	pp. 96, 135, 325
Prior, Harry, higher education council, member, **GA 147	pp. 382, 412, 510
Ratcliff, Helen, prison terms, parole board, member, **GA 4	pp. 92, 127, 505
Rathfelder, R. R., state personnel board member, GA 23,	p. 94
Reiley, Eldon, Spokane community college, trustee board member, **GA 116	pp. 101, 147
Rickman, Paul, Yakima community college, trustee board member, **GA 110	pp. 101, 146, 347
Robinson, C. E., Bellevue community college, trustee board member, **GA 68	pp. 99, 140, 336
Rohrback, Pinckney, Shoreline community college, trustee board member, **GA 66	pp. 98, 139, 335
Rupp, Boyd, Peninsula community college, trustee board member, **GA 36	pp. 97, 136, 327
Sandison, Gordon, western interstate commission for higher education, member, **GA 10	p. 91
Sax, Mrs. Ellen, Spokane community college, trustee board, member, **GA 114	pp. 101, 147, 348
Schmidt, Trueman, the Evergreen state college, trustee board member, **GA 18	pp. 93, 134, 506
Shaw, Dr. Spencer W., Green River community college, trustee board member, **GA 78	pp. 99, 142, 338
Shepherd, Mrs. Ruth, community college education board, trustee, **GA 29	pp. 96, 135, 325
Siegal, Arthur, Seattle community college, trustee board member, **GA 59	pp. 98, 139, 333
Smick, Bryant, Spokane community college, trustee board member, **GA 113	pp. 101, 147, 348
Smith, I. L., Walla Walla community college, trustee board member, **GA 129	pp. 102, 149, 352
Smith, Mrs. Ward H., Lower Columbia community college, trustee board member, **GA 93	pp. 100, 144, 342
Smith, W. Zeke, Yakima community college, trustee board member, **GA 108	pp. 101, 146, 347
Soriano, Louis, Olympic community college, trustee board member, **GA 45	pp. 97, 137, 329
Stimpson, Mrs. E. K., community college district 21, trustee board member, **GA 132	pp. 102, 150, 353
Strachan, John, Olympic community college, trustee board member, **GA 142	pp. 181, 222, 330
Stubbs, Leonard, Spokane community college, trustee board member, **GA 112	pp. 101, 147, 348
Sullivan, Donald, prison terms, parole board, member, **GA 2	pp. 92, 127, 504
Sullivan, James, Seattle community college, trustee board member, **GA 60	pp. 98, 139, 333
Tenney, Robert I., tax board of appeals, member, **GA 9	pp. 96, 312, 496, 528

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

GUBERNATORIAL APPOINTMENTS—Continued:

- Tibbetts, Oliver, Grays Harbor community college, trustee
board member, **GA 40 pp. 97, 137, 328
- Tracy, Dr. Harold L., Big Bend community college,
trustee board member, **GA 118 pp. 101, 148, 349
- Tuggle, Dewey H., Jr., Tacoma community college,
trustee board member, **GA 141 pp. 103, 151, 355
- Urie, Herbert C., Lower Columbia community college,
trustee board member, **GA 92 pp. 100, 144, 342
- Van Syckle, Edwin, Grays Harbor community college, trustee
board member, **GA 41 pp. 97, 137, 328
- Warren, George, Centralia community college,
trustee board member, **GA 91 pp. 100, 144, 342
- Watson, Emmett, aeronautics commission, member,
**GA 143 pp. 313, 366, 510
- Weinstein, Lawrence, Grays Harbor community college,
trustee board member, **GA 42 pp. 97, 137, 328
- Wilson, Marion E., higher education council,
member, **GA 152 pp. 382, 412, 512
- Wilson, Mrs. Merilynn, Wenatchee community college,
trustee board member, *GA 105 pp. 101, 146, 346, 512
- Wollenberg, Richard P., higher education council,
member, **GA 150 pp. 382, 412, 511
- Wood, Ben. Jr., Shoreline community college, trustee
board member, **GA 65 pp. 98, 139, 335
- Wood, Dr. George W., Walla Walla community college,
trustee board member, **GA 130 pp. 102, 149, 352
- Yamashita, Robert M., Tacoma community college,
trustee board member, **GA 140 pp. 102, 151, 355
- Young, Merrill A., Fort Steilacoom community college,
trustee board member, **GA 83 pp. 99, 143, 340
- GUESS, SENATOR SAM C.:**
Protest of vote, ESB 8 p. 37
- HAFFNER, MERLE:**
Eastern Washington state college, trustee,
appointment, **GA 16 pp. 93, 322, 508
- HAGENSEN, JOHN L.:**
Community college, state board, trustee,
appointment, **GA 28 pp. 96, 135, 325
- HAGER, WALLACE:**
Fort Steilacoom community college, trustee,
appointment, **GA 85 pp. 99, 143, 340
- HALE, REID E.:**
Highline community college, trustee, appointment,
**GA 76 pp. 99, 142, 338
- HALVORSON, HALVOR:**
Evergreen state college, trustee, appointment,
**GA 19 pp. 93, 134, 506
- *Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
**Appointment confirmed.
GA—Gubernatorial Appointment.
SFR—Senate Floor Resolution.

HAMILTON, ERNEST:

Centralia community college, trustee,
 appointment, **GA 89 pp. 100, 143, 341

HANDICAPPED: (see also Mentally Ill and Retarded)

Sheltered workshops, property, B & O, taxes, exempt, SB 177, *HB 5, CH. 81 2nd EX.

HANSEN, DR. ARNE G.:

Everett community college, trustee, appointment,
 **GA 56 pp. 98, 140, 332

HARBORS:

Improvement, dredged materials, disposal, *SB 130, CH. 54 2nd EX.
 Rivers, marine shorelines, study, inventory, SB 48.

HATA, YOSHIO:

Yakima community college, trustee, appointment,
 **GA 109 pp. 101, 146, 347

HAYMAN, REV. ROBERT F.:

Bellevue community college, trustee,
 appointment, **GA 71 pp. 99, 141, 336

HEALTH:

Adoptions, children, physical, mental defects, medical report required, *HB 23, CH. 82
 2nd EX. PV.
 Board, state, membership expanded, HB 53, *SB 52, CH. 18 2nd EX.
 Care contractors, title only bill, SB 147, SB 148.
 Facilities, collective bargaining, organization, representation, SB 217.
 Program, state employees, established, HB 203, *SB 179, CH. 39 2nd EX.
 Service, title only bill, SB 149, SB 152, SB 180, SB 181, SB 182.
 Counties, facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.
 Department, abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. PV.
 Director, Dr. Wallace Lane, appointment, GA 6 p. 94
 Hotel inspection, regulation, SB 41.
 Pollution control functions, transferred, HB 47, SB 47, *SB 1, CH. 62 2nd EX.
 Health, social services department created, HB 53, *SB 52, CH. 18 2nd EX. PV.
 Health care, hospital costs, legislative council study, *Sub HB 33, CH. 95 2nd EX. PV.
 Hospital, health care costs, legislative council study, *Sub HB 33, CH. 95 2nd EX. PV.
 Hotels, motels, inspection, regulation, SB 41.
 Nutrition and health, advisory council created, HB 53.
 Professions, license fees increased, Sub SB 189.
 National board examinations, state licensing, acceptance, SB 236.
 Social and health services department created, HB 53, *SB 52, CH. 18 2nd EX. PV.
 Tuberculosis hospitals, county, nontubercular patients, admission, SB 274.

HEALTH AND WELFARE PLANS:

Chiropractors, services, group disability insurance, covered, SB 103.
 Health care contractors, title only bill, SB 147, SB 148.
 Program, state employees, established, HB 203, *SB 179, CH. 39 2nd EX.
 Service, title only bill, SB 149, SB 152, SB 180, SB 181, SB 182.
 Teachers, faculty, employer contribution, limitations, removed, SB 155.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

HEMINGER, ROSS A.:

Wenatchee community college, trustee,
 appointment, **GA 32 pp. 100, 145, 345

HENRY, JOHN R.:

Community college, state board, trustee,
 appointment, **GA 32 pp. 97, 135, 325

HENRY, SENATOR AL:

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 Personal privilege, acknowledgement of remembrance p. 82
 Remote, necessary school, personal privilege p. 131

HICKS, CONGRESSMAN FLOYD:

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HIGHER EDUCATION PERSONNEL BOARD:

Cleary, Frank, appointment, **GA 12 pp. 95, 322, 507
 Fristoe, E. Robert, appointment, **GA 13 pp. 96, 322, 507
 Norman, Glen R., appointment, **GA 11 pp. 95, 322, 506

HIGHLINE COMMUNITY COLLEGE:

Hale, Reid E., trustee, appointment, **GA 76 pp. 99, 142, 338
 LePenske, Edward, trustee, appointment, **GA 75 pp. 99, 141, 337
 Lundberg, David, trustee, appointment, **GA 74 pp. 99, 141, 337
 Mennella, Vincent, trustee, appointment, **GA 72 pp. 99, 141, 337
 Murray, Mrs. Shirley S., trustee, appointment, **GA 73 pp. 99, 141, 337

HIGHWAYS:

Airspace, subsurface rights, county use provisions, *SB 61, CH. 30 2nd EX.
 Auto stages, speed limit, established, SB 202, *HB 201, CH. 100 2nd EX.
 Buses, private carrier, signal devices, traffic regulations, provisions, *HB 201, CH. 100
 2nd EX.
 Commission, Baker Ferguson, appointment, **GA 1 pp. 96, 365, 504
 Highway maintenance, operation, appropriation, *HB 142, CH. 91 2nd EX.
 Division, transportation department, created, SB 53.
 Ferries, additional, acquisition, authorized, *HB 304, CH. 85 2nd EX. PV.
 Two, construction authorized, SB 249, *HB 304, CH. 85 2nd EX.
 Freeways, certain sections, minimum speed established, SB 295.
 Joint committee, ferry construction, cross-sound transportation facilities, study, *HB
 304, CH. 85 2nd EX. PV.
 North cross-state, federal construction funds, release, *SFR 11 pp. 105-106
 Numbering, routes, changed, SB 226, *Sub SB 226, CH. 51 2nd EX.
 Routes, renumbered, SB 226, *Sub SB 226, CH. 51 2nd EX.
 Speeds, freeways, certain sections, minimum speed established, SB 295.
 Studies, title only bill, SB 302.
 Title only bill, SB 301.
 Toll bridge authority duties transferred, highway commission, SB 16.
 Transportation department, created, SB 53.

HINDS, O. LOYD, SR.:

Clark college, trustee, appointment,
 **GA 98 pp. 100, 145, 344

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

HOAG, DR. RICHARD M.:

Skagit Valley community college, trustee,
 appointment, **GA 50 pp. 98, 138, 331

HODGES, MILLARD B.:

Western Washington state college, trustee,
 appointment, **GA 21 pp. 94, 321, 508

HOLIDAYS:

King, Martin Luther Jr., commemorated, HCR 3.
 Human rights day, *SFR7 pp. 43, 44, 45

HOMICIDE:

Negligent, two degrees established, SB 90, *Sub SB 99, CH. 49 2nd EX. PV.

HOOPER, DR. WILLIAM:

Central Washington state college, trustee,
 appointment, **GA 14 pp. 92, 322, 507

HOSPITALS:

Abortion, specified condition, permitted, HB 116, *SB 68, CH. 3 2nd EX., Referendum
 No. 20.
 Care, health costs, legislative council study, *Sub HB 33, CH. 95 2nd EX. PV.
 Collective bargaining, employees, organization, representation, SB 217.
 Districts, surplus property, sale, payment, provisions, *Sub HB 220, CH. 7 2nd EX.
 Rate commission, established, duties, SB 327.
 Tuberculosis, county, nontubercular patients, admission, SB 274.

HOTELS:

Health inspection, regulation, SB 41.
 Sales tax, first class cities, stadium fund allocation, SB 153, *Sub HB 60, CH. 89 2nd
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HOUSE TRAILERS AND MOBILE HOMES:

Commercial coaches, recreational vehicles, design, equipment, safety regulation, *SB
 277, CH. 27 2nd EX.
 Design, body, frame, safety, regulation, *SB 277, CH. 27 2nd EX.

HOUSING:

Factory-built, soundness, safety, regulations, Sub HB 56, SB 55, *Sub SB 55, CH. 44
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 Prefabricated, soundness, safety, regulations, Sub HB 56, SB 55, *Sub SB 55, CH. 44
 2nd EX.
 Regional development, nonprofit corporations, authorized, SB 56.

HUMAN RIGHTS: (see also Civil Rights)

Commission established, Sub HB 258.

HUNT, GERALD A.:

Peninsula community college, trustee,
 appointment, **GA 33 pp. 97, 136, 326

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

HUNT, HARRY T.:

Peninsula community college, trustee,
 appointment, **GA 35 pp. 97, 136, 326

HUNTING:

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 License fees, general review, adjustment, SB 28.
 Licenses, fees increased, *Sub SB 28, CH. 29 2nd EX.

INDIANS:

Jurisdiction, title only bill, SB 225, SB 290.
 School programs, urban, racial, disadvantaged, provisions, SB 215, *Sub HB 33, CH. 95
 2nd EX. PV.
 Voting franchise, constitutional restrictions removed, SJR 3, SJR 9, *HJR 6, Proposed
 constitutional amendment.

INDIGENTS:

Juveniles, delinquent, court counsel, state payment provisions, *SB 66, CH. 31 2nd EX.
 Prisoners, cities, counties, medical costs, appropriation, *Sub HB 33, CH. 95 2nd EX.
 PV.

INDUSTRIAL INSURANCE:

Benefits, increased, SB 11.
 Building industry, protective premium formula, dividends, SB 169.
 Laws, administration, claims, appeals, study, SFR 23 pp. 383-384
 Workmen's compensation, benefits increased, SB 10.
 Permanent, partial disability, maximum increase, SB 9.

INDUSTRY:

Noncongested area dispersion authority, created, duties, SB 214, Sub SB 214.

INSTALLMENT LOANS:

Companies, licensing, regulation, SB 278.

INSTITUTIONS:

Capital improvements, bond sales, time, interest rate limitations, removed, *SB 317, CH.
 66 2nd EX., Referendum No. 22.
 Collective bargaining, employees organization, SB 217.
 Convicts, hand crafted articles, public sale, permitted, *HB 6, CH. 73 2nd EX.
 Department, abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. PV.
 Facilities, personnel, state, educational uses, authorized, SB 297, *SB 105, CH. 50 2nd
 EX. PV.
 Health, social services, department created, duties, *SB 52, CH. 18 2nd EX. PV.
 Jail, cities, counties, indigent inmates, medical costs, appropriation, *Sub HB 33, CH. 95
 2nd EX. PV.
 Public assistance eligibility, *SB 261, CH. 60 2nd EX.
 Prisoners, earnings, expense defrayal use, prohibited, HB 69.
 Hand crafted articles, public sale, permitted, *HB 6, CH. 73 2nd EX.
 Rehabilitation services, nonprofit organizations, institutionalized persons, authorized,
 *SB 105, CH. 50 2nd EX. PV.
 Schools, state, blind, deaf, regular school term, provisions, SB 297, *SB 105, CH. 50 2nd
 EX. PV.
 Residential, care, maintenance costs, estate payment provisions, SB 89, *HB 118,
 CH. 75 2nd EX.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

INSTITUTIONS—Continued:

State, equipment, personnel, certain educational uses, authorized, SB 297, *SB 105, CH. 50 2nd EX. PV.

INSURANCE:

Agent, B & O, exempted, SB 270.
 Code, general revisions, SB 195.
 Disability, chiropractor services, covered, SB 103.
 Employees' insurance board, created, duties, HB 203, *SB 179, CH. 39 2nd EX.
 Group, school, college employees, employer contribution, limitations, removed, SB 155.
 Guaranty association, created, SB 42, SB 133, Sub SB 133.
 Health care, state employees, program established, HB 203, *SB 179, CH. 39 2nd EX.
 Motor vehicle, group blanket policy, issuance provisions, SB 127.
 Premiums, tax, city, town, county imposition, authorized, SB 263.
 Property, real, specified policy amount, true loss value, SB 193.
 State employees, official duties, acquisition provisions, SB 173.
 Title only bill, SB 115, SB 116.

INTEREST AND USURY:

Capital improvements, state, certain, bond sales, time, interest rate limitations, removed, *SB 317, CH. 66 2nd EX., Referendum No. 22.
 Interest coupons, payment instrument, use permitted, SB 315.
 Loans, over \$100,000, individuals, defense plea, not permitted, *HB 158, CH. 97 2nd EX.
 Outdoor recreation areas, bond sales, time, interest rate limitations, removed, *SB 311, CH. 40 2nd EX., Referendum No. 21.
 Prime rate, 7%, petitioned, SJM 2.
 Public bonds, warrants, interest rate, issuing authority determination provisions, SB 146, *Sub SB 146, CH. 56 2nd EX.
 Taxes, property, delinquent, interest rate computation, SB 65.
 Water pollution control facilities, matching funds, sales, time, interest rate limitations, removed, *SB 318, CH. 67 2nd EX., Referendum No. 23.

INVESTMENTS:

Bonds, A rating, public funds, permitted, *HB 326, CH. 93 2nd EX.
 Council, established, title only bill, SB 255.
 Investment department, established, duties, Sub SB 255.
 Local improvement installment notes, cities, towns, financial institutions investment, permitted, *HB 326, CH. 93 2nd EX.
 Public funds, title only bill, SB 323.
 Works, contractor retained percentage funds, provisions, *SB 164, CH. 38 2nd EX.

IRRIGATION:

Districts, collective bargaining, provisions, SB 187.
 Improvements, financing, contracts, assessments, authorized, *HB 66, CH. 70 2nd EX.
 Reclamation lands, subdivision, irrigation methods, determination, recording, *HB 126, CH. 71 2nd EX.

IRWIN, CLARENCE:

Clark college, trustee, appointment, **GA 100 pp. 100, 145, 344

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

ISLANDS:

County commissioner districts, establishment provisions, *SB 191, CH. 58 2nd EX.

JACOBS, WILLIAM C.:

Labor, industries, department director,
 appointment, **GA 5 pp. 96, 181, 505

JAMES, HARRY C.:

Grays Harbor community college, trustee,
 appointment, **GA 39 pp. 97, 136, 327

JAMES, LESLIE W.:

Walla Walla community college, trustee, appointment,
 **GA 127 pp. 102, 149, 351

JAQUETTE, MRS. HARRIET S.:

Bellevue community college, trustee, appointment,
 **GA 70 pp. 99, 140, 336

JOHNSON, CHARLES L. R.: (see Sergeant at Arms)

JOHNSON, HARRIS:

Peninsula community college, trustee, appointment,
 **GA 37 pp. 97, 136, 327

JOINT COMMITTEES: (see also Committees)

Open space land, created, *HB 26, CH. 87 2nd EX.

JUDD, DEAN:

Big Bend community college, trustee,
 appointment, **GA 121 pp. 101, 148, 350

JUDGES:

Appeals court, election filing, position number provisions, *SB 67, CH. 19 2nd EX.

Illness, vacancies, temporary appointment provisions, *SB 67, CH. 19 2nd EX.

Judicial council appointment, HB 97.

Higher courts, salaries increased, SB 44.

Judicial conference, annual, location provision, SB 83.

Justice court districts, 200,000 population, additional judge, HB 176, SB 284, *SB 204,
 CH. 23 2nd EX.

Justice court, Spokane county, number increased, HB 176, SB 284, *SB 204, CH. 23
 2nd EX.

Justice courts, bonding provisions, SB 154.

Retirement, judicial system, public employees system, transfer, provisions, *HB 127,
 CH. 96 2nd EX.

Salaries, appellate, district courts, state committee recommendations, *SB 45, CH. 43
 2nd EX. PV.

State committee recommendations, *SB 45, CH. 43 2nd EX. PV.

Higher courts, adjustment, state per capita personal income basis, SB 43.

Supreme court, minimum pension, provisions, *HB 127, CH. 96 2nd EX.

U.S., retirement age 70, petitioned, SJM 6.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

JUDICIAL COUNCIL:

Appeals court, judges, appointment, HB 97.

JURIES AND JURORS:

Superior court, civil case verdicts, nine juror agreement, authorized, SB 82.

JUSTICE COURTS:

Districts, 200,000 population, additional judge authorized, HB 176, SB 284, *SB 204, CH. 23 2nd EX.

Judges, bonding provisions, SB 154.

Spokane county, number increased, HB 176, SB 284, *SB 204, CH. 23 2nd EX.

Small claims department, jurisdiction, amount increased, *HB 103, CH. 83 2nd EX.

JUVENILES: (see also Minors)

Court, indigent delinquents, court counsel, state payment provisions, *SB 66, CH. 31 2nd EX.

Delinquent, indigent, counsel, court costs, state payment, *SB 66, CH. 31 2nd EX.

Felons, fingerprinting, photographing authorized, SB 99, *Sub SB 99, CH. 49 2nd EX. PV.

Prisoners, cities, counties, indigent, medical costs, appropriation, *Sub HB 33, CH. 95 2nd EX. PV.

Public assistance eligibility, *SB 261, CH. 60 2nd EX.

KATAGIRI, MINËO:

Higher education council member, **GA 151 pp. 382, 412, 511

KEIL, RONALD:

Clark college, trustee, appointment, **GA 97 pp. 100, 145, 343

KELLY, DR. SAM P.:

Community college district No. 21, trustee, appointment, *GA 135 pp. 102, 150, 353

KENNELLY, WILLIAM F.:

Green River Community college, trustee, appointment, **GA 80 pp. 99, 142, 339

KIDNEY CENTER:

Spokane, appropriation, *Sub HB 33, CH. 95 2nd EX. PV.

KING, MARTIN LUTHER, JR.:

Birthday, commemorated, HCR 3.

Human rights day, *SFR 7 pp. 43, 44, 45

KINTNER, DR. ROBERT N.:

Wenatchee community college, trustee, appointment, **GA 103 pp. 101, 145, 345

KNOBLAUCH, SENATOR REUBEN A.:

Explanation of vote on EHB 21 p. 544

KNUTSEN, MRS. INA V.:

Shoreline community college, trustee, appointment, **GA 62 pp. 98, 139, 334

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

KOENNINGER, A. T., JR.:

Centralia community college, trustee, appointment,
 **GA 88 pp. 100, 143, 341

KOHLER, MAX:

Big Bend community college, trustee, appointment,
 **GA 119 pp. 101, 148, 349

LABOR AND INDUSTRIES:

Commercial coaches, recreational vehicles, design, equipment, safety regulation, *SB 277, CH. 27 2nd EX.

Department, director, William C. Jacobs, appointment,
 **GA 5 pp. 96, 181, 505
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Governatorial Appointment.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Tacoma community college, trustee, appointment,
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Authorization, secretary of senate attend, *SFR 39 pp. 559-561

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
**Appointment confirmed.
GA—Governatorial Appointment.
SFR—Senate Floor Resolution.

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**Appointment confirmed.

GA—Gubernatorial Appointment.

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 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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**Appointment confirmed.

GA—Governatorial Appointment.

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 **Appointment confirmed.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
**Appointment confirmed.
GA—Governatorial Appointment.
SFR—Senate Floor Resolution.

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- **Appointment confirmed.
- GA—Governatorial Appointment.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Governatorial Appointment.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Transportation department, created, SB 53.
- Water pollution control commission, abolished, duties transferred, HB 47, SB 47, *SB 1, CH. 62 2nd EX. PV.
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- Appropriation, bill drafting, *HB 173, CH. 99 2nd EX., *HB 190, CH. 1 2nd EX.

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- Community college district No. 21, trustee, appointment, **GA 132 pp. 102, 150, 353

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- Spokane community college, trustee, appointment, **GA 112 pp. 101, 147, 348

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- Needy, disadvantaged, tuition, temporary waiver, *HB 253, CH. 102 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Juries, civil cases, verdicts, nine juror agreement, authorized, SB 82.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Gallorage, wine, increased, SB 234, Sub SB 123.
- Gambling, local government imposition, prohibited, Sub HB 50, SB 69, SB 176.
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- Local option, sales, use, imposition authorized, *HB 21, CH. 94 2nd EX. PV.
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 - City, town, county imposition, authorized, SB 263.
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- Open space land, current usage assessment, SB 5, SB 307, *HB 26, CH. 87 2nd EX.
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 - Indebtedness limitation calculations, *SB 40, CH. 42 2nd EX.
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 - Existing use, productivity basis, SJR 14.
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 - Value increases, self-liquidation use provision, SB 157.
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 - Excise, incorporators, own property, exempted, *SB 13, CH. 65 2nd EX. PV.
- Revenue, taxation, code corrections, *HB 34, CH. 8 2nd EX.
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- Sales, aged, disabled, certain, exempted, SB 201.
 - Cities, towns, allocation provisions, SB 163.
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 - Hotel, motel rentals, 1st
 - class cities, stadium fund allocation, SB 153, *Sub HB 60, CH. 89 2nd EX.
 - Liquor, additional, imposed, Sub SB 123.
 - Local imposition, appropriated state funds, distribution formula, *Sub HB 33, CH. 95 2nd EX. PV.

*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

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- Levies, excess, payments, income tax credit, HB 88, SB 72.
- 50% payments, income tax credit, SB 46.
- Sheltered workshops, property, exempted, SB 177, *HB 5, CH. 81 2nd EX.
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- Taxing districts, actual value property assessments, indebtedness limitation calculations, *SB 40, CH. 42 2nd EX.
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- Police, certain activities, video recordings permitted, *SB 95, CH. 48 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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 *Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.

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 - Utilities, SB 117, SB 137.
- Real estate, limited land salesman's license, SB 237.
- Revenue, taxation, SB 122, SB 123, SB 199, SB 200, SB 211, SB 221.
 - School support, SB 314.
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- Transportation department, duties transferred, SB 53.

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- Big Bend community college, trustee, appointment,
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- Buses, private carrier, signal devices, traffic regulations, provisions, *HB 201, CH. 100 2nd EX.
- Motor vehicle accidents, arrest citation issuance, investigation basis, SB 91.
 - Vehicles, speed violations, computer determination, provisions, HB 226.
- Railroad crossings, all school buses, stop required, HB 2.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 **Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.

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- Air routes, U.S.-Orient, shortest, promotion, *SFR 29 p. 423
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- Tacoma community college, trustee, appointment,
 - **GA 141pp. 103, 151, 355

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- Colleges, universities, increased, *HB 253, CH. 102 2nd EX.
- Community colleges, bond retirement, percentage allocation increased, *SB 206, CH. 59 2nd EX.
 - Needy students, criteria, exemption, *SB 206, CH. 59 2nd EX.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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Sheltered workshops, property, B & O, taxes, exempt, SB 177, *HB 5, CH. 81 2nd EX.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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- Archer, Arden, trustee, appointment, **GA 128 pp. 102, 149, 352
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 Environmental quality department created, duties, HB 47, SB 47.
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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

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**Appointment confirmed.

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 **Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.

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*Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

**Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

