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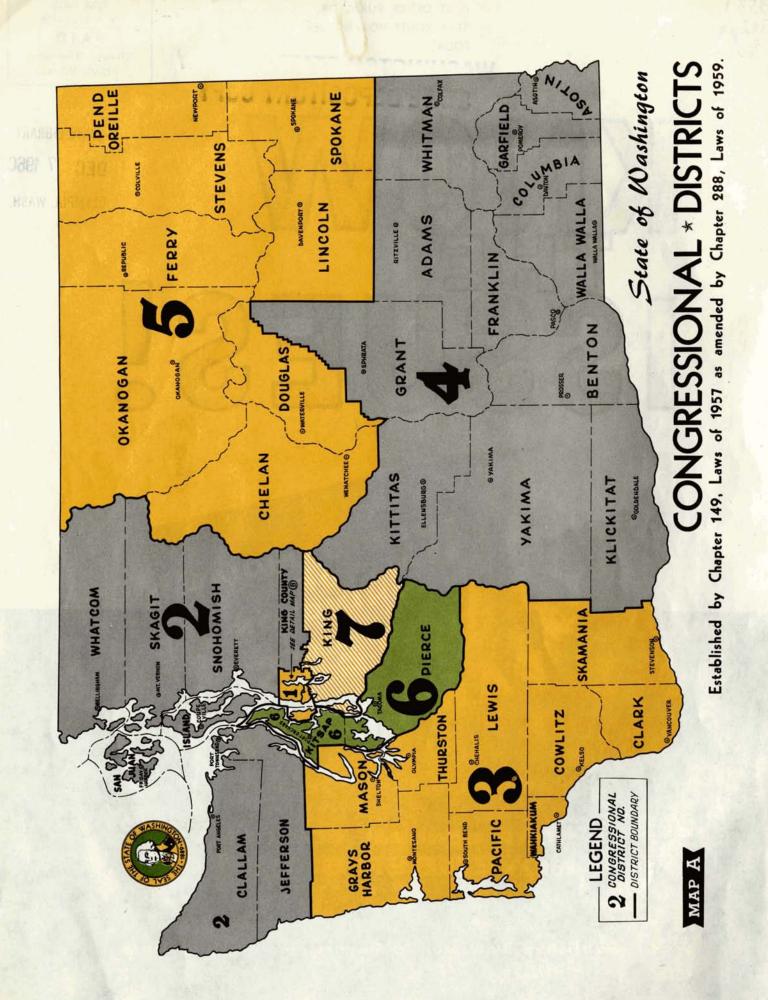
# NOW ISSUES!

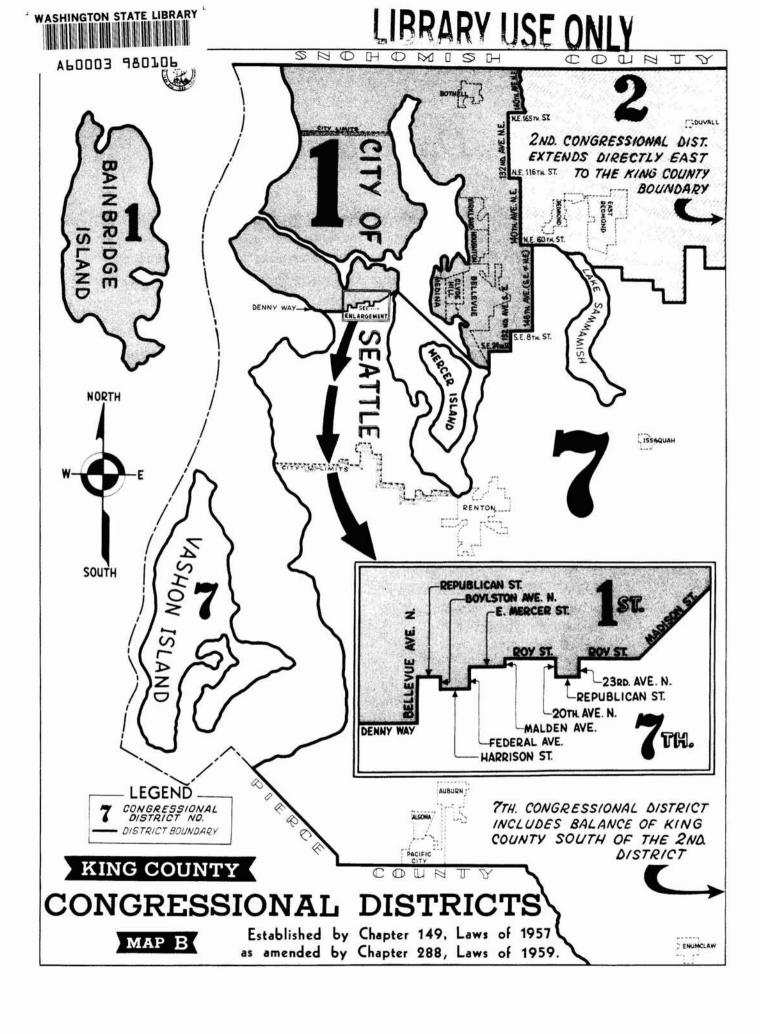


NOVEMBER 8, 1960



Published By Victor A. Meyers, Secretary of State





# **Dedication**

Starting with the year 1914, the office of the Secretary of State has been directed by the state constitution to issue an official Voters' Pamphlet containing the text of state measures to be voted upon at each state general election. The executing statutes carefully spelled out the dimensions, size of type and even the quality of paper to be used (newsprint). Such legal restrictions made it impossible to present a pamphlet that could best serve the voters.

The League of Women Voters of Washington, sensing the inadequacies of the state pamphlet, filled the void in recent years by issuing a non-partisan publication of its own. Because of the costs involved, the League could not send its pamphlet to every voter. It became apparent that the only answer was to convince the Legislature that the state's version should be improved to the extent that the League's edition would be no longer necessary.

As a consequence, the 1959 Legislature approved House Bill No. 599 that completely revamped the format of the Voters' Pamphlet. Credit must be given to the House Committee on Constitution, Elections and Apportionment in which the legislation originated. Said Committee consisted of the following State Representatives:

Mike McCormack, Chairman John B. Speer, Vice-Chairman Horace W. Bozarth Frank Brouillet Keith H. Campbell Damon R. Canfield

Paul Conner Clayton Farrington Slade Gorton Elmer C. Huntley Joel M. Pritchard Wes C. Uhlman

However, in view of the original planning, untiring efforts and the prestige of their organization support, I am certain no member of the Legislature will feel slighted by the dedication of the first modernized edition of this pamphlet to the League of Women Voters of Washington.

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VICTOR A. MEYERS Secretary of State

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# Your Vote Is Important!

The record of elections held in the State of Washington reveals that several major offices have been won by extremely close margins. One or two additional votes cast in each precinct could have changed the results of these close contests. For this reason alone, every citizen should realize that his vote is important.

Any voter who will be away from home on the day of the election—or is so physically handicapped that he (or she) cannot vote in person should apply **now** for an absentee ballot. Any **signed** request containing the necessary information will be honored. For your convenience, a model application is reproduced below.

Our absentee voting procedure has been greatly simplified in that it is **no longer** necessary to mark your ballot in the presence of a notary public. All that is required is for the absentee voter to sign the affidavit which is printed upon the envelope used to mail back the marked ballot. In fact it is easier to vote an absentee ballot than to go to the polls!

In order to be certain that the voter's application is authentic, our laws require that the signature upon the application must compare favorably to the signature on the voter's permanent registration record. For this reason, a voter who resides within a city precinct should understand that his application for an absentee ballot must be sent to his city clerk even though the request is for a state general election absentee ballot. The city clerk, after approving the application, will then forward the request on to the appropriate county auditor who is the election officer who actually issues and receives absentee ballots for all state elections.

### Apply Now for an Absentee Ballot If You Cannot Vote in Person.

------CLIP OUT FORM ALONG THIS LINE-----

APPLICATION FOR STATE GENERAL ELEC	CTION ABSENTEE BALLOT	r	
Send this application to your city clerk if your voting procounty auditor if your voting precinct is		our	
	(Date)		
I hereby declare that I am a qualified elector in	(Name of county)	of Washington,	
and that I am registered for voting at the following address	SS: (Street and number, or r		
	(If possible fill in precinct name or		
This application is being made for an absentee ballot for	the approaching:		
My reason for requesting an absentee ballot is: (Check appropriate square)			
I expect to be absent from my precinct on the day of		V 00 00	
I am so incapacitated that I cannot attend at the polls and vote in the usual way at said election,			
my incapacity being in the manner as follows:			
SIGN HERE	·		
(Print name here for positive identification)	(Signature of voter)		
Fill in address where you wish absentee ballot to be sent	(Street)		
Form approved by Attorney General.	(City)	(State)	

# Explanatory Comment:

# NEW VOTERS' PAMPHLET

A few of the changes in this new edition of the Voters' Pamphlet are self-evident. Both the dimensions of the pamphlet and the size of the type are much larger than before. In addition, sets of maps showing the Congressional and Legislative districts in detail have been added.

Your attention is also called to the fact that there is now one official argument for and one official argument against each measure. In previous years, there was no assurance that arguments would appear giving both sides of each proposition. Persons or organizations wishing to have arguments appear in the pamphlet formerly had to purchase the space, and since the cost was approximately \$750 per page, many of the measures had only arguments supporting one side of the question. Persons wanting to present counter arguments simply did not have the funds to purchase space.

The new law (Chapter 329, Laws of 1959) provides that the presiding officer of the State Senate, the presiding officer of the House of Representatives and the Secretary of State shall together appoint two persons known to favor a measure to compose the argument in its favor. The same officials are also re-

quired to appoint two persons known to have opposed a measure to write the argument against. Such committees, if they wish, can appoint up to as many as five additional persons to serve as advisory committee members. There is no charge for printing these official arguments and all committee members serve without receiving any compensation. It is no longer possible to purchase space in the pamphlet for the printing of arguments.

Another new feature is that the Attorney General is required to write a brief explanatory statement for each measure. Such statement is to be in "clear and concise language and shall avoid the use of legal and other technical terms insofar as possible." The statement consists of two parts: First, an explanation of the law as it now exists; second, the effect of the proposed measure should it be approved into law. Such explanatory statements are subject to court review before being printed in the pamphlet.

All of these changes were made with one thought in mind: To give you, as a voter, a more informative and worth-while pamphlet. It is our hope that this modernized edition meets with your approval.

# EXTRA COPIES AVAILABLE

If any public spirited citizens or organizations wish to obtain extra copies of the Voters' Pamphlet, they are available without charge. The pamphlets can be obtained locally at the offices of each city clerk and county auditor throughout the state. A sup-

ply has also been sent to each public library for public distribution.

In addition, copies can be obtained by writing directly to the Secretary of State at Olympia. All requests will receive prompt attention.

# Initiative No. 205 to the People..

#### \*OFFICIAL BALLOT TITLE -

#### AUTHORIZING TAVERN SPIRITUOUS LIQUOR LICENSES

AN ACT Relating to spirituous liquor licenses, making taverns eligible for a new class of license allowing the sale of spirituous liquors including mixed drinks and cocktails, providing for regulation, fees and disbursements thereunder.

\* As issued by John J. O'Connell, Attorney General.

# OFFICIAL ARGUMENT FOR INITIATIVE MEASURE NO. 205

# What is Initative No. 205?

It will permit licensed taverns of the state to sell mixed drinks and cocktails in their establishments.

# What Will It Do?

- 1. It will allow equal opportunity to all citizens, especially the workingman, to purchase mixed drinks and cocktails in places of their choice.
- 2. Taverns are the ONLY licensed premises where minors are not allowed.
- 3. Initiative 205 will modernize our laws and make them comparable with our neighboring states.
- 4. A modern liquor law will greatly benefit the tourist industry in the State of Washington.
- 5. The additional license fees will be used for medical research.
- 6. It will create jobs within the taverns, as well as jobs for allied industries in improving and modernizing tavern facilities for the benefit of the community.

INITIATIVE 205 WILL INCREASE STATE REVENUE WITHOUT ADDITIONAL INDIVIDUAL TAX BURDENS.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR INITIATIVE MEASURE NO. 205

BEN C. BRADLEY, President Washington State Licensed Beverage Assn. 20314 Ballinger Road Seattle 55, Washington MICHAEL R. ALFIERI, Attorney Washington State Licensed Beverage Assn. 563 Olympic National Building Seattle 4, Washington JACOB H. MILLER, Exec. Secretary Washington State Licensed Beverage Assn. 20314 Ballinger Road Seattle 55, Washington

# EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW THE LAW AS IT NOW EXISTS:

Under the present law, spiritous liquor (other than wine and beer) may be sold by the drink only by retail establishments having "Class H" liquor licenses. The present law specifically limits the issuance of "Class H" licenses to bona fide restaurants, hotels and clubs and to dining, club and buffet cars on passenger trains, and to dining places on passenger boats and airplanes, and to certain other establishments operated and maintained primarily for the benefit of tourists, vacationers and travelers.

### EFFECT OF INITIATIVE MEASURE NO. 205 IF APPROVED INTO LAW:

The passage of this act would make taverns (which under the present law may sell only wine and beer at retail by the drink) also eligible to sell, by the drink, other spiritous liquors, including mixed drinks and cocktails. This is to be accomplished by making taverns eligible for a new class of "liquor by the drink" license, to be known as the "Class T" license.

NOTE: Complete text of Initiative Measure No. 205 appears on Page 20.

# OFFICIAL ARGUMENT AGAINST INITIATIVE NO. 205

#### WHAT IS INITIATIVE 205?

It is an act to legalize sale of hard liquor by-the-drink in taverns.

### WHY YOU SHOULD VOTE AGAINST INITIATIVE 205!

- (1) If Initiative 205 should pass, additional licenses allowing hard liquor by-the-drink could immediately be issued to raise the total to 4,040 outlets as compared to 828. This would allow the establishment of 1 bar for every 699 men, women and children in the State, compared to 1 cocktail lounge for each 3,411 residents as of June 30, 1960.
- (2) It would set up a new class of hard liquor by-the-drink places with special privileges and without the safeguards and restrictions the voters put into the present law, such as the requirement of food service, restriction on location and others.
- (3) Initiative 205 would legalize sale of hard liquor by-the-drink in taverns, many of which are located in rural areas, and in areas which are primarily residential, some near schools and churches, some along dangerous stretches of highway, thereby creating law enforcement problems and endangering public safety.
- (4) It would create conditions comparable to or worse than those in the old saloons which people of Washington said by law should never be returned to our state.

### \* \* \* VOTE AGAINST INITIATIVE 205 AND ASK YOUR FRIENDS TO DO SO \* \* \*

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST INITIATIVE MEASURE NO. 205

W. DELMORE McDOWELL, President Alcohol Problems Assn. of Washington 910 5th Avenue, Seattle KENNETH R. FISHER, Chairman Citizen's Committee for Moderation 500 Wall Street, Seattle DR. MARTIN L. GOSLIN, Minister Plymouth Congregational Church 1217 6th Avenue, Seattle

# Initiative No. 207 to the People..

### \*OFFICIAL BALLOT TITLE

#### CIVIL SERVICE FOR STATE EMPLOYEES

AN ACT, Entitled "The State Civil Service Law," relating to state government; establishing a civil service system for state employees; defining employees included and excluded; providing that appointments and promotions in the classified civil service shall be based solely on merit and fitness; governing appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plan, removal, discipline and welfare of civil servic employees, agreements regarding grievance procedures and collective negotiations, and other incidents of employment; blanketing-in certain employees; prohibiting certain activities; creating a revolving fund; abolishing existing personnel system; and repealing or amending inconsistent laws.

\* As issued by John J. O'Connell, Attorney General.

# OFFICIAL ARGUMENT FOR INITIATIVE MEASURE NO. 207

### INITIATIVE 207 WILL MODERNIZE WASHINGTON STATE GOVERNMENT BY:

- INSURING EQUAL OPPORTUNITY for all in getting jobs and earning promotions—special privilege for none.
- 2. **SAVING TAXPAYERS MONEY** by stopping wholesale political firings after election—political turnover is a hidden tax; millions are wasted.
- 3. ATTRACTING COMPETENT WORKERS for State employment—the State cannot get its fair share when there is no job tenure.
- 4. BUILDING RESPONSIBLE POLITICAL PARTIES through placing emphasis on ability of candidates and on the issues—not on promising jobs to armies of party workers; Governor will still appoint top policy makers.
- RECOGNIZING WORK PERFORMANCE as the basis for keeping or firing employees—it's what you
  know, not who you know, that counts—and seniority in determining order of layoff due to lack of funds
  or work curtailment.

#### LET MERIT MARK THE MAN—VOTE FOR INITIATIVE 207 STATE CIVIL SERVICE

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR INITIATIVE MEASURE NO. 207

MRS. ROBERT T. GAREN; Chairman Merit System Committee League of Women Voters of Washington 3709 North Washington, Tacoma 7 LEONARD NORD, Personnel Officer State Department of Institutions Olympia, Washington NORM SCHUT, Executive Secretary Washington Federation of State Employees 105 West Union Avenue, Olympia

# EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW THE LAW AS IT NOW EXISTS:

Employees or applicants for employment in certain state agencies are now covered by a merit system governing appointments, promotions and conditions of employment. Numerous state personnel are not covered by a merit system or civil service.

#### EFFECT OF INITIATIVE MEASURE NO. 207 IF APPROVED INTO LAW:

The passage of this act would establish a civil service program for employees or applicants for employment in state government whereby employment is governed by merit principles and scientific methods.

Generally, the act will cover all state employes except persons employed in the judicial branch of government, elected officials, officers of the Washington state patrol, assistant attorneys general, military personnel, temporary personnel, employees in the state printing plant, the chief executive officers of each agency, administrative assistants, confidential secretaries, and a few other similar positions named.

NOTE: Complete text of Initiative Measure No. 207 starts on Page 21.

# OFFICIAL ARGUMENT AGAINST INITIATIVE MEASURE NO. 207

### Don't Vote to CRIPPLE State Government—Vote AGAINST Initiative Measure No. 207

- 1. NOT ALL CIVIL SERVICE LAWS ARE GOOD CIVIL SERVICE LAWS.
  - A. Why did the National Civil Service League refuse to approve Initiative Measure No. 207?
  - B. Why are substantial groups and departments exempted by Initiative Measure No. 207?
  - C. Why should seniority in a job be the only reason for advancement?
- 2. Proponents say Initiative Measure No. 207 insures equal opportunity . . . but for whom? Initiatve Measure 207 immediately insures the jobs of those presently employed . . . who are the ones who prepared and circulated Initiative Measure No. 207 petitions?
- 3. What does Civil Service do to the efficiency of a worker if he cannot be removed or even suspended from his position without lengthy, complicated and expensive legal proceedings?
- 4. You, the voter, dictate the policies of state government . . . can your will be carried out if elected officials are powerless to choose or direct their own employees?
- 5. Enactment of Initiative Measure No. 207 would destroy collective bargaining.

# Vote for Responsive State Government-Vote AGAINST Initiative Measure No. 207

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST INTIATIVE MEASURE NO. 207

NEAL V. CHANEY, Publisher The Eastsider 224 105th N. E., Bellevue, Washington

NOTE: The new law completely revising the format of the Voters' Pamphlet provides that at least three persons should be appointed to compose arguments either for or against the initiative measures. However, at the time of going to press, no group had publicly voiced opposition to Initiative Measure No. 207. For this reason, Mr. Neal V. Chaney submitted the above argument as a public service.

# Initiative No. 208 to the People..

### \*OFFICIAL BALLOT TITLE

#### AUTHORIZING JOINT TENANCIES IN PROPERTY

AN ACT Relating to property; authorizing joint tenancies in real and personal property with common law incidents of survivorship and severability; allowing property rights of a deceased joint tenant to pass immediately upon death to the surviving joint tenant; prescribing methods and requirements for the creation of joint tenancies; providing that the transfer of property to surviving joint tenants shall not derogate from the rights of creditors; and repealing existing laws which abolished the right of survivorship as an incident of joint tenancies or tenancy by the entireties.

\* As issued by John J. O'Connell, Attorney General.

# OFFICIAL ARGUMENT FOR INITIATIVE MEASURE NO. 208

46 States Have Joint Tenancy With Right of Survivorship

### **STOP PROBATE WITH 208**

Why Not Have Your Estate Pass Right Down the Family Tree Without Attorney Fees or Court Costs?

208 Covers All Property, Real Estate, Stocks, Bonds, etc.

208 takes nothing away, but gives the right of survivorship for those who care to use it.



#### **VOTE FOR 208**

Thomas E. Grady, Washington Supreme Court Judge (Retired) says:

"I feel satisfied 208 will be enacted if the people are truthfully informed of its purpose and effect, and this will make necessary a campaign of education. Lawyers will put forth a lot of 'scare-heads' supposedly for the protection of the public, but the real reason for opposition with many will be loss of probate business."

J. Henry Helser & Co., Investment Managers (resident offices in principal Pacific Coast cities) states:

"Joint tenancy is recognized in most other states and we believe the proposed act is a step forward in eliminating the confusion that exists."

INITIATIVE MEASURE NO. 208 is endorsed and sponsored by the WASHINGTON STATE LABOR COUNCIL (A. F. of L. - C. I. O.); WASHINGTON STATE GRANGE; and by the WASHINGTON STATE FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR INITIATIVE MEASURE NO. 208

ROBERT B. STEWART, Chairman Citizens Committee to Save Probate Costs 205 Lebo Boulevard Bremerton, Washington DAN CARBONE, Secretary-Treasurer Citizens Committee to Save Probate Costs 3212 West 56th Seattle 7, Washington A. L. "SLIM" RASMUSSEN State Representative, 28th District 4031 Pacific Avenue Tacoma 8, Washington

#### EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

### THE LAW AS IT NOW EXISTS:

A joint tenancy is a form of ownership of property by two or more persons, a principal feature of which is that upon the death of one of the co-owners, the property is then owned solely by the surviving co-owner or owners.

Under present law, joint tenancies are not authorized in this state except in the case of money deposited with certain banks, savings and loan associations, and credit unions, or invested in United States Savings Bonds under certain conditions. In addition, a form of co-ownership of property similar to joint tenancy is presently authorized between a husband and wife. A husband and wife may presently make an agreement respecting their community property whereby such property becomes the separate property of the survivor upon the death of either spouse.

### EFFECT OF INITIATIVE MEASURE NO. 208 IF APPROVED INTO LAW:

The act would authorize any two or more persons to become co-owners of any kind of property as joint tenants with rights of survivorship, upon the conveyance of such property to them by a proper written instrument declaring the ownership to be a joint tenancy. Then, upon the death of any one or more, but less than all of the co-owners, the property held in joint tenancy would become owned by the surviving co-owner or owners.

NOTE: Complete text of Initiative Measure No. 208 starts on Page 26.

# OFFICIAL ARGUMENT AGAINST INITIATIVE MEASURE NO. 208

- 1. This initiative is the biggest threat to its extremely progressive community property laws the state has ever faced. It will destroy rights of women, and through them impair rights of children. Community property and joint tenancy are incompatible. No informed woman could reasonably favor the proposal.
- 2. The law is not needed. Husbands and wives can do everything under present laws that this act proposes to do, without the hazards involved in this act. (See explanation under "The Law as it Now Exists" at top of this page.)
- 3. The law will increase taxes for most people. A tax advantage now enjoyed by husbands and wives under our community property laws will be lost.
- 4. This initiative is a dangerously deceptive proposal. It will not "stop probate" as its sponsors claim. Not a single state in the United States has stopped probate, with or without joint tenancy.
- 5. Despite claims by sponsors, 46 other states do *NOT* have joint tenancy laws similar to this law. Not a single state has a law in such language.
- 6. Four kinds of research experts: (1) law school teachers, (2) title company men, (3) lawyers, and (4) trust company men have studied the proposed law. Each group of experts says the same thing—this is a bad law which cannot do what its sponsors say it will do. Instead, it will damage and destroy property rights of great value to millions of people in this state.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST INITIATIVE MEASURE NO. 208

JUSTIN MALONEY, President Wash. State Bar Association Empire State Bldg., Spokane MRS. W. FORREST GOODFELLOW, Chairman Women's Committee to Preserve Community Property Rights 7534 Fairway Drive, Seattle MRS. ROBERT M. JONES, Chairman Citizens Committee Against No. 208 512 Newton, Seattle

# Initiative No. 210 to the People ..

\*OFFICIAL BALLOT TITLE \_\_

#### STATEWIDE DAYLIGHT SAVING TIME

AN ACT Providing that at two o'clock antemeridian Pacific Standard Time of the last Sunday in April each year the time of the State of Washington shall be advanced one hour, and at two o'clock antemeridian Pacific Standard Time of the last Sunday in September in each year the time of the State of Washington shall, by the retarding of one hour, be returned to Pacific Standard Time.

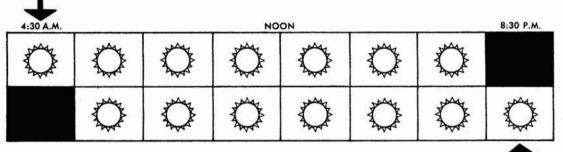
\* As issued by John J. O'Connell, Attorney General.

# OFFICIAL ARGUMENT FOR INITIATIVE MEASURE NO. 210

# ADD AN EXTRA HOUR OF DAYLIGHT TO THE ACTIVE PART OF YOUR DAY

do you want it . . .

HERE...



OR HERE?

without daylight saving

daylight saving

JUST THINK OF THE ADVANTAGES of an extra hour of daylight at the active end of your day. Enjoy the gracious outdoor living offered by our wonderful State—swimming, boating, fishing, golf, after-work picnics, or perhaps a relaxing ride with the family really seeing our wondrous scenery. Dad will even have extra time to play or enjoy outdoor hobbies with the children, or get EXTRA yard work done. Just think, 154 more hours of daylight each year (an extra two-week vacation) with daylight saving time.

WASHINGTON STATE, AND YOU, WILL BENEFIT by a general increase in business. An extra hour of sun is an extra hour of fun for the tourist, and this means more tourist dollars for MOST communities. AND, our State, without daylight saving time, is limited to only four hours to do business with New York and the East, and this affects ALL business in the long run. Let's get in step with the rest of the nation. California and British Columbia have daylight saving, and Oregon is voting to adopt it this election.

Vote | FOR Initiative 210.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT IN FAVOR OF INITIATIVE MEASURE NO. 210

MAX D. CRITTENDEN, State Chairman Jaycees For Uniform Time Committee 14370 Edgewater Lane Seattle 55, Washington ROBERT A. STEWART, Co-Chairman Jaycees For Uniform Time Committee 9509 45th Avenue N. E. Seattle 15, Washington ROGER SCHRAMM 7704 Tieton Drive Yakima, Washington

#### EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

### THE LAW AS IT NOW EXISTS:

Washington law now requires the observance of standard time, except under certain circumstances. Presently no county, city or other political subdivision may adopt any time except Pacific Standard Time, except where authorized in a proclamation by the governor declaring an emergency during national war, or unless other than standard time is adopted nationally.

#### EFFECT OF INITIATIVE MEASURE NO. 210 IF APPROVED INTO LAW:

The passage of the proposed law would establish state-wide Daylight Saving Time from the last Sunday of April to the last Sunday in September. Pacific Standard Time would be observed during the remainder of the year.

NOTE: Complete text of Initiative Measure No. 210 appears on page 27.

# OFFICIAL ARGUMENT

# AGAINST

**INITIATIVE MEASURE NO. 210** 



# **DON'T BE MISLED**

# ONLY 14 STATES HAVE STATEWIDE DAYLIGHT SAVING\*

A FEW CITIES IN

12 OTHER STATES

ON LOCAL OPTION

# PLAIN TRUTHS

- Farming, logging and many other industries would suffer heavy financial loss under Daylight Saving. DO NOT jeopardize jobs in Washington.
- 2. Children do not get their proper rest under Daylight Saving Time.
- 3. Seattle has 13 minutes more evening daylight under <u>STANDARD TIME</u> than Los Angeles has on <u>DAYLIGHT SAVING TIME</u>. What more do we need?
- 4. The State of Washington, in the past five years, has had a record increase in tourists-20% since 1955-with Standard Time. Tourists are not interested in time, their time is their own.
- 5. Washington voters have twice rejected Daylight Saving Time, in 1952 and 1954, by decisive majorities. Don't let "The Playboys" wreck the economy of your State . . . VOTE NO on Daylight Saving Time.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST INITATIVE MEASURE NO. 210

LEONARD ZINK Wash. State Dairymen's Federation Puyallup, Washington A. LARS NELSON, Master Washington State Grange 3104 Western Avenue, Seattle ED HEINEMAN Washington Horse Breeder's Assn. Renton, Washington

# Initiative No. 25 To The Legislature

### \*OFFICIAL BALLOT TITLE -

### DAM CONSTRUCTION AND WATER DIVERSION

AN ACT Prohibiting the construction or operation of any dam or other obstruction over 25 feet high on any tributary stream of the Columbia River down stream from McNary Dam within the migration range of anadromous fish, except on the North Fork of the Lewis River and White Salmon River, and prohibiting diversion of water from such stream in such quantities as will reduce the flow below the annual average low flow without concurrent approval of the Directors of Fisheries and Game.

\* As issued by John J. O'Connell, Attorney General.

# OFFICIAL ARGUMENT FOR INITIATIVE MEASURE NO. 25

**INITIATIVE 25 ASKS THAT:** 3% of the 255,000 sq. miles of the Columbia River Watershed be reserved for Salmon and Steelhead reproduction by reestablishing the Sanctuary created by the Legislature in 1949 (by votes of 47-1 in the Senate and 76-23 in the House). An oversight in the original bill omitted "Municipalities". Initiative 25 places Municipalities on the same basis as all others. No other portion of the existing law is changed.

**INITIATIVE 25 IS NECESSARY** to protect a 25 million dollar annual fishery. Its loss will seriously deplete the salmon fishing from Alaska to California and will destroy steelheading in lower Columbia streams. All of the existing hatcheries cannot equal the spawning potential of the Sanctuary.

HIGH DAMS KILL FISH: Even if the upstream spawners climb the ladders, baby fish are killed going over the spillways and through the turbines. All state and Federal fishery agencies have expressed the vital need for salmon and steelhead sanctuaries. No competely successful fish passage ways have been devised . . . even after 30 years of experimenting.

INITIATIVE 25 WILL NOT AFFECT THE POWER POTENTIAL: Less than 1% of the power potential is involved. There are no completed dams in the Sanctuary. None can be built whose costs of production will not exceed by more than double the ample power for sale by Bonneville Power Administration. There are at least 108 existing and proposed dams on the Columbia that will not be affected by the Initiative. And Atomic power is coming.

FOR YOUR ADDITIONAL INFORMATION a 16 m.m. sound, colored movie is available. Write or call: Fred Habernich, 2021 1st Ave., Seattle. Phone MA 4-4655.

#### Vote FOR Initiative No. 25!

COMMITTEE APPOINTED TO COMPOSE ARGUMENT **FOR** INITIATIVE MEASURE NO. 25 TO THE LEGISLATURE FISHERY RESOURCES COMMITTEE, WASHINGTON STATE SPORTSMEN'S COUNCIL

ROBERT E. COLWELL, Chairman 8015 California Avenue Seattle, Washington THOMAS O. WIMMER 7756 Seward Park Avenue Seattle, Washington KEN McLEOD 1017 East Pike Street Seattle, Washington

# EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

#### THE LAW AS IT NOW EXISTS:

A state law now prohibits the construction of any dam exceeding twenty-five feet in height on any tributary of the Columbia River downstream from the McNary Dam, including the Cowlitz River and its tributaries. The Washington Supreme Court has ruled that this law does not limit the power of municipal corporations authorized to engage in the power business to build such dams, and that the law is not effective when in conflict with Federal law governing the use of navigable waters.

### EFFECT OF INITIATIVE MEASURE NO. 25 IF APPROVED INTO LAW:

This act, if constitutional, would expressly limit the power of any individual, private, public, or municipal corporation, and any subdivision of the state of Washington or any other state to construct, complete or operate dams exceeding twenty-five feet in height on any tributary stream of the Columbia River downstream from McNary Dam, including the Cowlitz River and its tributaries.

NOTE: Complete text of Initiative Measure No. 25 to the Legislature appears on Page 27.

#### OFFICIAL ARGUMENT AGAINST **INITIATIVE MEASURE NO. 25**

Your vote against this initiative will assure the development of new recreational areas, a fine tourist attraction, more inexpensive electric power, flood control in the lower Cowlitz valley, and a little more depth in the river for boating. By voting against No. 25 you will help put the Cowlitz River to work for all the people of our state.

Over 400 men are now at work on this project, earning payrolls which exceed \$3,200,000 yearly. The people of our state, through the municipally-owned utility in Tacoma, already have invested millions of dollars to build two dams on this river between Centralia and Morton. One dam, which will cost over \$37,000,000, is almost 70 per cent completed. Contracts have been signed to complete it. None of the costs come from taxes.

Acting in good faith, the people of Tacoma began building these dams in 1955. The United States Supreme Court has ruled twice that the City has a legal right to complete the dams. The Federal Power Commission of the United States, after exhaustive studies and hearings, has determined that the construction of the Cowlitz dams is the best development of the river for all purposes.

A new state park and other recreational facilities for camping, boating, picnicking, swimming and fishing are planned around the lake which will be formed behind the dam now being finished. This lake will be more than 13 miles long. Both dams will provide fine tourist attractions on the route from US 99 to Chinook and White Passes and to Mount Rainier.

Flood control will be established below the dams.

Protection of the fisheries resource is a foremost feature of the Cowlitz project. Tacoma is building a modern hatchery for the Game Department near Mossyrock. This replaces an obsolete hatchery. Federal and state fisheries agencies have approved the functional designs for facilities to get fish past the dams on their way up and down the river.

# We Need BOTH Fish and Power. Vote AGAINST 25!

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST INITIATIVE NO. 25 TO THE LEGISLATURE

ED M. WESTON, President Washington State Labor Council 2800 First Avenue, Seattle

A. LARS NELSON, Master Washington State Grange 3104 Western Avenue, Seattle BEN HANSON, Mayor City of Tacoma Tacoma, Washington

#### ADVISORY COMMITTEE

DR. PAUL RAVER, Supt. Seattle City Light Seattle, Washington

WALTER S. GORDON Professional Engineer Lakewood Center, Wash. Kennewick, Washington

OWEN W. HURD, Managing Director Wash. Public Power Supply System

VERN F. CAIN, Mayor City of Centralia Centralia, Washington

# Proposed Constitutional Amendment

### \*OFFICIAL BALLOT TITLE -

# Senate Joint Resolution No. 4

### OWNERSHIP OF LAND BY ALIENS

Shall the constitutional restriction upon the ownership of land in the State of Washington by aliens be removed by repealing Section 33, Article II as amended by Amendments 24 and 29 of the State Constitution?

\* As issued by John J. O'Connell, Attorney General.

Vote cast by 1959 Legislature on final passage of Senate Joint Resolution No. 4:

STATE SENATE: 49 Members-43 Yeas; 0 Nays; 6 Absent not voting.

HOUSE OF REPRESENTATIVES: 99 Members—91 Yeas; 2 Nays; 6 Absent not voting.

# OFFICIAL ARGUMENT FOR SENATE JOINT RESOLUTION NO. 4

WHAT IS SJR #4? It is a resolution passed almost unanimously by our State Legislature to repeal discriminatory practices pertaining to land ownership.

WHAT WILL A "YES" VOTE ON SJR #4 DO? It will stop discrimination against alien residents and will allow our people in Washington to own land. Presently, foreign corporations (such as those from Cuba) can own land in Washington, but residents aliens who have lived and raised families here for many years cannot

### WHO SUPPORTS A "YES" VOTE ON SJR NO. 4?

- Government leaders in Washington of both political parties; Senators Warren G. Magnuson and Henry M. Jackson; Congressmen Walt Horan, Thor C. Tollefson, Thomas M. Pelly, Jack Westland, Don Magnuson and Congresswoman Catherine May; Governor Albert D. Rosellini; Mayors Gordon Clinton, Neal Fosseen, Ben Hanson, and many others.
- 2. All Western States: California, Utah, Oregon and Idaho, have already repealed similar laws.
- Washington Organizations: American Legion, Republican Party, Democratic Party, Washington Association of Realtors, Washington State Grange, Seattle City Council, National Conference of Jewish Women, Seattle Civic Committee and many others.
- 4. Congress of the United States: Congress extended privilege of citizenship to all permanent legal residents aliens without regard to race. No more aliens "ineligible to citizenship".

### WHY VOTE "YES" ON SJR NO. 4?

- 1. It is the right thing to do. Repeal a discriminatory and outmoded law.
- 2. It would allow resident (English, Norwegian, or any other) alien whose sons gave their lives so that we may live, the same rights as foreign corporations.
- 3. It would make our law consistent with laws in other Western States.
- 4. It would declare to the world that the people of Washington stand for Equality, Fair Play and Justice.

# VOTE FOR EQUALITY, PROGRESS AND PROSPERITY! VOTE "YES" ON SJR NO. 4.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR SENATE JOINT RESOLUTION NO. 4

MARK LITCHMAN, JR. State Representative 13706 2nd Avenue N.E. Seattle, Washington

JOHN N. RYDER State Senator 6811 55th Avenue N.E. Seattle, Washington JOHN L. KING President, Board of Regents University of Washington Seattle, Washington

#### EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

#### THE LAW AS IT NOW EXISTS:

The Washington constitution now prohibits the ownership of certain land by certain aliens.

Ownership of land in this state by aliens who have not declared their intention to become United States citizens is prohibited, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts.

The prohibition does not apply to Canadian citizens of those Provinces which do not prohibit the ownership of provincial lands by citizens of Washington. In addition, the prohibition does not cover lands containing certain minerals and necessary land for mills and machinery to be used in developing those minerals and in manufacturing products from such minerals.

#### EFFECT OF SENATE JOINT RESOLUTION NO. 4 IF APPROVED INTO LAW:

The passage of the proposed constitutional amendment would repeal the existing constitutional prohibition on ownership of lands by aliens.

NOTE: Complete text of Senate Joint Resolution No. 4 appears on Page 28.

# OFFICIAL ARGUMENT AGAINST SENATE JOINT RESOLUTION NO. 4

Land ownership is the basis of our American Heritage and should be a privilege enjoyed only by citizens of this state and nation. The framers of our State Constitution in their wisdom appreciated this fact and so incorporated the land ownership provision.

With population pressures building up all over the world and the depletion of natural resources everywhere it becomes increasingly necessary to frame a state and national policy which preserves for our citizens some security for the future.

There is a philosophy abroad in this country which says that we are a selfish people if we do not share all our material wealth with other nations. When we consider the billions in foreign aid dispersed in almost every country around the world it is hard to believe that we are selfish.

It is said that certain people are treated unjustly and are made to suffer hardships because of our alien land law. Certainly we may find such cases but they do not justify repeal which would open land ownership to people and corporations the world over.

Because of pressures which are certain to build up, the Alien Ownership Land Law can never be reinstated if once repealed.

Protect your American Heritage and preserve it for future generations.

Vote NO on Senate Joint Resolution No. 4.

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST SENATE RESOLUTION NO. 4

DAVID E. McMILLAN State Senator Route 3, Colville

NOTE: The new state law changing the format of the Voters' Pamphlet provides that in the instance of a proposed constitutional amendment, the committee appointed to write an argument, either for or against the proposal, should consist of at least one state senator and one state representative. After exhaustive contacts were made, only State Senator David E. McMillan of the 1959 Legislature was willing to submit an argument against Senate Joint Resolution No. 4.

# COMPLETE TEXT OF Initiative Measure No. 205

AN ACT relating to spirituous liquor licenses, making taverns eligible for a new class of license allowing the sale of spirituous liquors including mixed drinks and cocktails, providing for regulation, fees and disbursements thereunder.

Be It Enacted by the People of the State of Washington:

Section 1. (1) Spirituous liquor, as used in this act, means liquor as defined in R.C.W. 66.04.200, except "wine" and "beer" sold as such.

(2) Tavern, as used for Class T license purposes, means any establishment with special space and accommodation to serve draft beer, bottled beer, malt liquor, wine, and spirituous liquor, by the individual glass at retail for consumption on the premises, including mixed drinks and cocktails compounded and mixed on the premises only.

Section 2. There shall be added to Chapter 217, Laws of 1937, as amended by Chapter 220, Laws of 1941, and to Chapter R.C.W. 66.24 a new section, to read as follows:

There shall be a tavern liquor license to be designated as a Class T license, to sell spirituous liquor by the individual glass at retail for consumption on the premises, including mixed drinks and cocktails compounded or mixed on the premises, only. Only holders of a Class A and/or B license or transferee from a holder of a Class A and/or B license as of November 1, 1959, shall be issued a Class T license, in addition to any other licenses held. The annual fee for a Class T license, whether inside or outside of incorporated cities or towns, shall be \$300.00.

**Section 3.** Section 5, Chapter 5, of Laws of 1949, is amended to read as follows:

Each Class H and T licensee shall be entitled to purchase any spirituous liquor items saleable under such Class H and T licenses from the Board at a discount of not less than 15 per cent of the retail price fixed by the Board, together with all taxes.

Section 4. There shall be added to Chapter 217, Laws of 1937, as amended by Chapter 220, Laws of 1941, and to Chapter R.C.W. 66.24 a new section, to read as follows:

The total number of Class T licenses to be issued by the Board shall not at any time exceed one license for each 1,500 of the population of the State determined according to the last avail-

able federal or county census. This provision is for the issuance of future licenses under this act and shall have no effect on the eligibility of the Class A and/or B licensees to receive the Class T license under the provisions of Section 2 of this act; provided that, notwithstanding the foregoing provisions, the Board shall have the authority to issue a Class T license to anyone who receives a new Class A and/or B license after November 1, 1959, where, in the opinion of the Board, because of the increase in population of any particular locality or for any other reason, the reasonable needs of the community of a particular locality permit.

Section 5. This act shall be under the supervision of the Washington State Liquor Control Board, and the Board shall have the same power to make regulations not inconsistent with the spirit hereof as is provided by R.C.W. 66.08.030 and RCW 66.08.040.

Section 6. Section 10, Chapter 5, Laws of 1949, shall be amended to read as follows:

Moneys in the liquor revolving fund shall be distributed by the Board at least once every three months; provided that the Board shall reserve from distribution such amount not exceeding \$500,000.00, as may be necessary for the proper administration purposes; provided, further, that all license fees, penalties and forfeitures derived under this title from Class H and T licenses or Class H and T licensees shall, every three months, be disbursed by the Board to the University of Washington and to Washington State University for medical and biological research only, in such proportions as shall be determined by the Board after consultation with the heads of said state institutions.

Section 7. Section 11, Chapter 5, Laws of 1949, shall be amended to read as follows:

The Board shall set aside in a separate account in the liquor revolving fund an amount equal to 10 per cent of its gross sales of liquor to Class H and T licensees, and the moneys in said separate account shall be distributed in accordance with the provisions of R.C.W. 43.66.090 to 43.66.110, inclusive; provided, that no election unit in which the sale of liquor under Class H and T licenses is unlawful shall be entitled to share in the distribution of moneys from such separate account.

Section 8. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision or part thereof, not adjudged invalid or unconstitutional.

STATE OF WASHINGTON-ss.

Filed in the office of the Secretary of State January 8, 1960.

VICTOR A. MEYERS, Secretary of State.

### COMPLETE TEXT OF

# **Initiative Measure No. 207**

AN ACT relating to state government; establishing a civil service system of personnel administration; and amending section 1, chapter 68, Laws of 1929 and RCW 43.17.090; and section 2, chapter 113, Laws of 1947 and RCW 43.66.030; section 4, chapter 112, Laws of 1949 and RCW 43.25.030; and section 47, chapter 7, Laws of 1921, and section 19, chapter 176, Laws of 1935, and section 4, chapter 114, Laws of 1947 and RCW 43.41-.020; and repealing section 3, chapter 216, Laws of 1939, as amended by section 1, chapter 128, Laws of 1941 and RCW 74.04.030; section 42, chapter 35, Laws of 1945 as amended by section 10, chapter 215, Laws of 1949 and RCW 50.12.030; and sections 5, 6, 7, 8, 9, 10, 11, 12, chapter 234, Laws of 1951, and RCW 43.19.290, RCW 43.19.300, RCW 43.19.310, RCW 43.19.320, RCW 43.19.330, RCW 43.19.340, RCW 43.19-.350, RCW 43.19.360; and section 3, chapter 220, Laws of 1949, as last amended by section 44, chapter 383, Laws of 1955, and RCW 43.27.060.

Be It Enacted by the People of the State of Washington:

Section 1. The general purpose of this act is to establish for the state a system of personnel administration based on merit principles and scientific methods governing the appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plan, removal, discipline and welfare of its civil employees, and other incidents of state employment. All appointments and promotions to positions, and retention therein, in the state service, shall be made on the basis of policies hereinafter specified.

**Section 2.** Unless the context clearly indicates otherwise, the words used in this act have the meaning given in this section.

- (1) "Institutions of higher learning" are the University of Washington, Washington State University, Central Washington College of Education, Eastern Washington College of Education, and Western Washington College of Education;
- (2) "Agency" means an office, department, board, commission, or other separate unit or division, how-

ever designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature;

- (3) "Board" means the State Personnel Board established under the provisions of section 11, the Personnel Committee established under section 5 and the Personnel Board established under section 6, except that this definition does not apply to the words "board" or "Boards" when used in section 7;
- (4) "Classified service" means all positions in the state service subject to the provisions of this act;
- (5) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;
- (6) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required;
- (7) "Department" means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board or council, by law empowered to operate the agency responsible either to (1) no other public officer or (2) the governor.

Section 3. A Department of Personnel, governed by a State Personnel Board and administered by a Director of Personnel, is hereby established as a separate agency within the state government.

Section 4. The provisions of this act apply to:

- Each board, commission or other multimember body, including, but not limited to, those consisting in whole or in part of elective officers;
- (2) Each agency, and each employee and position therein, not expressly excluded or exempted under the provisions of section 7 of this act.
- (3) Institutions of higher learning, subject to the exemptions hereinafter made.

Section 5. At each institution of higher learning the governing body shall within thirty (30) days after the effective date of this act designate three (3) of its members as a permanent Personnel Committee, compensated and reimbursed as provided in section 11 of this act, to enforce and perform for all its non-academic personnel, except those in positions specifically exempted by the governing body on analogy to the exemptions of section 7 of this act, the policies and duties given to the State Personnel Board by sections 1, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, and 27 of this act, and shall designate a qualified full-time non-academic employee to perform for such personnel at the institution the duties under section 13 of the Director of Personnel. The comptroller or corresponding officer shall likewise perform for the institution the functions of the Budget Director under section 27 of this act.

Section 6. Within thirty (30) days after the effective date of this act the State Highway Commission (Continued on next page)

shall appoint, subject to confirmation by the Senate, a Highway Department Personnel Board of three (3) members for the same terms, having the same qualifications, subject to the same restrictions, and to be given the same compensation and reimbursements, as are provided for members of the State Personnel Board in section 11 of this act. The board so appointed shall organize as provided in section 11 hereof and enforce and perform for all Highway Department personnel in the classes of positions covered by this act the policies and duties given to the State Personnel Board by sections 1, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, and 27 of this act; and all personnel, supplies, equipment and records heretofore employed in the administration of the departmental merit system under RCW 43.27.060 shall be transferred to this board. A Highway Department Personnel Director shall be appointed and removable by the Highway Commission on the same basis as the Director of Personnel is appointed and removable under section 13 hereof, the departmental board herein created performing the functions of the State Board under that section with respect to such appointments and removals, and the Highway Commission shall have the same option to name as the first Highway Department Personnel Director the person serving in a comparable capacity under RCW 43.27.060 immediately prior to the effective date of this act.

Section 7. The provisions of this act do not apply to:

- (1) The members of the Legislature or to any employee of, or position in, the legislative branch of the state government including members, officers and employees of the Legislative Council, Legislative Budget Committee, Statute Law Committee, and of any interim committee of the Legislature;
- (2) The judges of the supreme court, of the superior courts or of the inferior courts or to any employee of, or position in the judicial branch of state government;
- (3) Academic personnel of the institutions of higher learning and other such positions as are exempted under provisions of section 5 of this act;
  - (4) The officers of the Washington State Patrol;
  - (5) Elective officers of the state;
  - (6) The chief executive officer of each agency;
- (7) In the Departments of Employment Security, Health, Fisheries, Institutions and Public Assistance, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the Governor, the director, his confidential secretary, and his statutory assistant directors;
- (8) In the case of a multimember board, commission or committee, whether the members thereof are elected, appointed by the Governor or other authority, serve ex officio, or are otherwise chosen;
- (a) All members of such boards, commissions or committees;
- (b) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: (i) the secretary of the board, commission or committee; (ii) the chief

- executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;
- (c) If the members of the board, commission, or committee serve on a full-time basis: (i) the chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;
- (d) If all members of the board, commission, or committee serve ex officio: (i) the chief executive officer; and (ii) the confidential secretary of such chief executive officer;
- (9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;
  - (10) Assistant Attorneys General;
- (11) Commissioned and enlisted personnel in the military service of the state;
- (12) Inmate, student, part time or temporary employees, and part time professional consultants, as defined by the State Personnel Board or the Board having jurisdiction;
- (13) The public printer or to any employees of or positions in the state printing plant.
- **Section 8.** Notwithstanding the provisions of this act, the Department of Personnel may make its services available on request, on a reimbursable basis, to:
- (1) Either the legislative or the judicial branch of the state government;
- (2) Any county, city, town, or other municipal subdivision of the state;
  - (3) The institutions of higher learning;
  - (4) The Department of Highways.

Section 9. The Department of Highways and the Washington State Patrol in conjunction with the State Personnel Board shall make a study prior to January 1, 1963 to determine if it is feasible to integrate completely the personnel systems of the Department of Highways and officers of the State Patrol with the State Department of Personnel, such study to be presented in writing with recommendations to the State Legislature on the day of its convening the thirty-eighth (38) regular Session.

Section 10. Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position at the conclusion of such temporary appointment.

Section 11. (1) There is hereby created a State Personnel Board composed of three (3) members appointed by the Governor, subject to confirmation by the Senate: Provided, That no member appointed when the Legislature was not in session shall continue to be a member of the Board after the thirtieth (30) day of the next Legislative session unless his appointment shall have been approved by the Senate. The first such Board shall be appointed within thirty (30) days after the effective date of this act for terms of two, four, and six years. Each odd num-(Continued on next page)

bered year thereafter the Governor shall appoint a member for a six year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one (1) year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed;

- (2) Each member of the Board shall be paid fifty (50) dollars for each day in which he has actually attended a meeting of the Board officially held. The members of the Board may receive any number of daily payments for official meetings of the Board, actually attended: *Provided*, That after July 1, 1962, no one Board member shall receive more than one thousand five hundred dollars (\$1,500) in any fiscal year for this purpose: *Provided*, further, That such limitation shall not apply to daily payments for the hearing of employee appeals. Members of the Board shall also be reimbursed for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided for state officers and employees generally.
- (3) At its first meeting following the appointment of all of its members, and annually thereafter, the Board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two (2) members of the Board shall constitute a quorum to transact business. A written public record shall be kept by the Board of all actions of the Board. The Director of Personnel shall serve as secretary.

Section 12. (1) In the necessary conduct of its work, the Board shall meet monthly unless there is no pending business requiring Board action and may hold hearings, such hearings to be called by (a) the chairman of the Board, or (b) a majority of the members of the Board. An official notice of the calling of the hearing shall be filed with the secretary, and all members shall be notified of the hearing within a reasonable period of time prior to its convening;

- (2) No release of material, or statement of findings shall be made except with the approval of a majority of the Board;
- (3) In the conduct of hearings or investigations, a member of the Board, or the Director of Personnel, may administer oaths.

**Section 13.** The office of Director of Personnel is hereby established.

(1) Within ninety (90) days after the effective date of this act a Director of Personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this act, may serve as Director of Personnel hereunder until a permanent Director of Personnel is appointed as herein provided, and may be appointed as Director of Personnel by the Governor alone; or the Governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with Board rules for competitive ex-

aminations, for which examinations said merit system director shall be eligible.

- (2) The Director of Personnel shall be appointed by the Governor from a list of three (3) names submitted to him by the Board with its recommendations, the names on such list shall be those of the three (3) standing highest upon competitive examination conducted by a committee of three (3) persons which shall be appointed by the Board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management shall be eligible to take such examination.
- (3) The Director of Personnel shall be removable for cause by the Governor with the approval of a majority of the Board or by a majority of the Board.
- (4) The Director of Personnel shall direct and supervise all the Department of Personnel's administrative and technical activities in accordance with the provisions of this act and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the Board proposed rules and regulations required by this act. His salary shall be fixed by the Board.

Section 14. It shall be the duty of the Board to make rules and regulations providing for employee participation in the development and administration of personnel policies. To assure this right, personnel policies, rules, classification and pay plans, and amendments thereto, shall be acted on only after the Board has given twenty (20) days notice to, and considered proposals from, employee representatives and agencies affected. Complete and current compilations of all rules and regulations of the Board in printed, mimeographed or multigraphed form shall be available to the public in the office of the Director of Personnel free of charge.

Section 15. The Board shall adopt and promulgate rules and regulations, consistent with the purposes and provisions of this act and with the best standards of personnel administration, regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom; certification of names for vacancies, including departmental promotions, with the number of names equal to two (2) more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists; examinations for all positions in the competitive and noncompetitive service; appointments; probationary periods of six (6) months and rejections therein; transfers; sick leaves and vacations; hours of work; layoffs when necessary and subsequent re-employment, both according to seniority; agreements between agencies and employee organizations providing for grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an agency; adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilites of each such position; allocation and re-allocation of positions within the classification plan; adoption and revision of a state salary schedule to reflect not less than the prevailing (Continued on next page)

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rates in Washington State private industries and other governmental units for positions of a similar nature, such adoption and revision subject to approval by the State Budget Director in accordance with provisions of chapter 328, Laws of 1959; training programs, including in-service, promotional and supervisory; regular increment increases within the series of steps for each pay grade, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and providing for veteran's preference as required by existing statutes.

Section 16. In adopting or revising classification and salary schedules as set forth in section 15 the Board shall give full consideration to prevailing rates in other public employment and in private employment in this state and for this purpose shall have made periodic wage surveys with one such survey to be conducted each year prior to the convening of each regular session of the state legislature, the results of such wage survey to be forwarded with a recommended state salary schedule to the Governor and State Budget Director for their use in preparing budgets to be submitted to the succeeding legislature.

Section 17. (1) The Board, in the promulgation of rules and regulations governing suspensions for cause, shall not authorize an appointing authority to suspend an employee for more than fifteen (15) calendar days as a single penalty or more than thirty (30) calendar days in any one calendar year as an accumulation of several penalties. The Board shall require that the appointing authority give written notice to the employee not later than one day after the suspension takes effect, stating the reasons for and the duration thereof. The authority shall file a copy of the notice with the Director of Personnel.

(2) Any employee who is reduced, dismissed, suspended or demoted, after completing his probationary period of service as provided by the rules and regulations of the Board, shall have the right to appeal to the Board not later than thirty (30) days after the effective date of such action. The employee shall be furnished with specified charges in writing when the action is taken. Such appeal shall be in writing and shall be heard by the Board within thirty (30) days after its receipt. The Board shall furnish the agency concerned with a copy of the appeal in advance of the hearing.

Section 18. Hearings on such appeals shall be open to the public, except for cases in which the Board determines there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence before the Board. Members of the Board may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the

Board. The Board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and if the evidence warrants punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The Board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it shall not be required to transcribe such record unless requested by the employee, who shall be furnished with a complete transcript upon payment of a reasonable charge therefor. Payment of the cost of a transcript used on appeal shall await determination of the appeal, and shall be made by the employing agency if the employee prevails.

Section 19. Within thirty (30) days after the conclusion of the hearing the Board shall make and fully record in its permanent records findings of fact, conclusions of law when the construction of a rule, regulation or statute is in question, reasons for the action taken and its order based thereon, which shall be final subject to action by the court on appeal as hereinafter provided, at the same time sending a copy of the findings, conclusions and order by registered mail to the employing agency and to the employee at his address as given at the hearing or to a representative designated by him to receive the same.

Section 20. (1) Within thirty (30) days after the recording of the order and the mailing thereof, the employee may appeal to the Superior Court of Thurston County, or in the case of an employee of an Institution of Higher Learning to the Superior Court of the County in which such institution is located, on one or more of the grounds that the order was:

- (a) Founded on or contained error of law, which shall specifically include error in construction or application of any pertinent rules or regulations;
- (b) Contrary to a preponderance of the evidence as disclosed by the entire record with respect to any specified finding or findings of fact;
  - (c) Materially affected by unlawful procedure;
- (d) Based on violation of any constitutional provision; or
  - (e) Arbitrary or capricious.
- (2) Such grounds shall be stated in a written notice of appeal filed with the court, with copies thereof served on the Director of Personnel or a member of his staff or a member of the Board and on the employing agency, all within the time stated.
- (3) Within thirty (30) days after service of such notice, or within such further time as the court may allow, the Board shall transmit to the court a certified transcript, with exhibits, of the hearing; but by stipulation between the employing agency and the employee the transcript may be shortened, and either party unreasonably refusing to stipulate to such limitation may be ordered by the court to pay the additional cost involved. The court may require or permit subsequent corrections or additions to the transcript.

- Section 21. (1) The court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in case of alleged irregularities in procedure before the Board not shown by the transcript the court may order testimony to be given thereon. The court shall upon request by either party hear oral argument and receive written briefs.
- (2) The court may affirm the order of the Board, remand the matter for further proceedings before the Board, or reverse or modify the order if it finds that the employee's objection thereto is well taken on any of the grounds stated. Appeal shall be available to the employee to the Supreme Court from the order of the Superior Court as in other civil cases.
- **Section 22.** (1) An employee who is terminated from state service may request the Board to place his name on an appropriate re-employment list and the Board shall grant this request where the circumstances are found to warrant re-employment.
- (2) Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits, including back pay, sick leave, vacation accrual, retirement and OASDI credits.
- Section 23. The State Personnel Board established and existing under the provisions of RCW 50.12.030, section 42, chapter 35, Laws of 1945, and section 10, chapter 215, Laws of 1947, is abolished, and the terms of office of its members are terminated at such time as the Board created by section 11 of this act has been appointed by the Governor. The employees, and the supplies, equipment, records, and funds in the possession or under the control of said board shall be transferred forthwith by it to the Department of Personnel.
- **Section 24.** (1) Employees, except the merit system director, currently serving under the jurisdiction of a state merit system established by law shall automatically retain their permanent or probationary status acquired under such system;
- (2) All persons who were in the employ of the state government outside the statutory personnel systems immediately prior to the effective date of this act, in positions not exempted from the classified system coverage by this act, shall automatically receive such permanent or probationary status with respect to such positions, and any prior positions, as they would have acquired with respect thereto had they been serving satisfactorily therein under the merit system rule, in effect on April 1, 1958, administered by the State Personnel Board under RCW 50.12.030;
- (3) The Board shall give due consideration to any prior state service of an applicant in its establishment of rules and regulations for the making of appointments under this act.
- **Section 25.** (1) Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited. No person shall solicit on state property any contribution to be used for partisan, political purposes.
  - (2) Employees shall have the right to vote and

- to express their opinions on all political subjects and candidates, but shall not hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit a classified employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for non-partisan offices.
- (3) Nothing in this section shall prohibit appointment, nomination or election to part-time public office in a political subdivision of the state when the holding of such office is not incompatible with, nor substantially interferes with, the discharge of official duties in state employment.
- (4) For persons employed in State Agencies the operation of which is financed in total or in part by Federal grant-in-aid funds political activity will be regulated by the rules and regulations of the United States Civil Service Commission.
- Section 26. If any part of this act shall be found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict and with respect to the agencies directly affected, and such findings or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. The Board shall make such rules and regulations as may be necessary to meet federal requirements which are a condition precedent to the receipt of federal funds by the state.
- Section 27. A disbursing officer shall not pay any employee holding a position covered by this act unless the employment is in accordance with this act or the rules, regulations and orders issued hereunder. The Board and the State Budget Director shall jointly establish procedures for the certification of payrolls.
- Section 28. There is hereby created a fund to be held in the custody of the State Treasurer, outside the state treasury, designated as the "Department of Personnel Service Fund", to be used by the Board as a revolving fund for the payment of salaries, wages and operations required for the administration of the provisions of this act. An amount equal to one percent (1%) of the approved allotments of salaries and wages for all positions in the classified service in each of the agencies subject to this act, except the institutions of higher learning and the department of highways, shall be charged to the operations appropriations of each agency and credited to the Department of Personnel Service Fund as such allotments are approved pursuant to chapter 328, Laws of 1959. The Director of Personnel shall fix the terms and charges for services rendered by the Department of Personnel pursuant to section 8 of this act, which amounts shall be credited to the Department of Personnel Service Fund and charged against the proper fund or appropriation of the recipient of such services on a quarterly basis; payment for services so rendered under section 8 shall be made on a quarterly basis to the State Treasurer as custodian of the Department of Per-

(Continued on next page) Page 25

sonnel Service Fund. Monies from the Department of Personnel Service Fund shall be disbursed by the State Treasurer by warrants or checks on vouchers duly authorized by the Board.

**Section 29.** Nothing in this act shall be interpreted as changing the provisions of or affecting the conditions of employment for personnel covered by chapter 47.64 RCW.

Section 30. Section 2, chapter 113, Laws of 1947 and RCW 43.66.030 are each amended to read as follows:

The Board may employ such employees as in its judgment are required from time to time.

Section 31. Section 1, chapter 68, Laws of 1929 and RCW 43.17.090 are each amended to read as follows:

The administrative board shall:

- (1) From time to time, systematize and unify the administrative duties of the departments of the state government and make such necessary assignments of duties to the departments as it may deem advisable to correlate and coordinate the work thereof;
- (2) Fix the amount of bond to be given by each appointive state officer and each employee of the state in all cases where it is not fixed by law;
- (3) Require the giving of an additional bond, or a bond in a greater amount than provided by law, in all cases where in its judgment the statutory bond is not sufficient in amount to cover the liabilities of the officer or employee;
- (4) Exempt subordinate employees from giving bond when in its judgment their powers and duties are such as not to require a bond.

**Section 32.** Section 4, chapter 114, Laws of 1947, section 19, chapter 176, Laws of 1935, section 47, chapter 7, Laws of 1921 (heretofore combined and codified as RCW 43.41.020) are each amended to read as follows:

(RCW 43.41.020) The director of budget shall:

- (1) Exercise all the powers and perform all the duties prescribed by law with respect to the administration of the state budget law, the pre-auditing of state departments, the approval of purchases of materials and supplies by state departments, and the approval of public printing bills;
- (2) Make efficiency surveys of all state departments and institutions, and the administrative and business methods pursued therein, examine into the physical needs and industrial activities thereof, and make confidential reports to the Governor, recommending necessary betterments, repairs, and the installation of improved and more economical administrative methods, and advising such action as will result in a greater measure of self-support and remedies for inefficient functioning;
- (3) Compute cost findings of the several farming and industrial operations at the state institutions, and making confidential reports to the Governor of profit and loss.

**Section 33.** The following sections of the Revised Code of Washington and the following sections of the session laws are each hereby repealed:

- Section 5, chapter 234, Laws of 1951 and RCW 43.19.290;
- (2) Section 6, chapter 234, Laws of 1951 and RCW 43.19.300;
- (3) Section 7, chapter 234, Laws of 1951 and RCW 43.19.310;
- (4) Section 8, chapter 234, Laws of 1951 and RCW 43.19.320;
- (5) Section 9, chapter 234, Laws of 1951 and RCW 43.19.330;
- (6) Section 10, chapter 234, Laws of 1951 and RCW 43.19.340;
- (7) Section 11, chapter 234, Laws of 1951 and RCW 43.19.350;
- (8) Section 12, chapter 234, Laws of 1951 and RCW 43.19.360;
- (9) Section 3, chapter 220, Laws of 1949, as last amended by section 44, chapter 383, Laws of 1955, and RCW 43.27.060;
- (10) Section 42, chapter 35, Laws of 1945, as amended by section 10, chapter 215, Laws of 1947 and RCW 50.12.030;
- (11) Section 3, chapter 216, Laws of 1939, as amended by section 1, chapter 128, Laws of 1941 and RCW 74.04.030.

Section 34. This act shall be referred to as the State Civil Service Law.

Section 35. If any provision of this act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end any section, sentence, or word is declared to be severable.

STATE OF WASHINGTON-ss.

Filed in the office of the Secretary of State January 13, 1960. VICTOR A. MEYERS, Secretary of State.

# COMPLETE TEXT OF

# **Initiative Measure No. 208**

AN ACT relating to joint tenancies permitting property to pass to the survivor without the cost or delay of probate proceedings, and protecting rights of creditors, and relating to other property interests, and repealing section 1, page 165, Laws of 1885, section 1, chapter 270, Laws of 1953 and RCW 11.04.070.

Be It Enacted by the People of the State of Washington:

Section 1. Whereas joint tenancy with right of survivorship permits property to pass to the survivor without the cost or delay of probate proceedings, there shall be a form of co-ownership of property, real and personal, known as joint tenancy. A (Continued on next page)

joint tenancy shall have the incidents of survivorship and severability as at common law. Joint tenancy may be created by written agreement, written transfer, deed, will or other intrument of conveyance, when expressly declared therein to be a joint tenancy, or when granted or devised to executors or trustees as joint tenants: Provided however, That such transfer shall not derogate from the rights of

Section 2. Every interest created in favor of two or more persons in their own right is an interest in common, unless acquired by them in partnership, for partnership purposes, or unless declared in its creation to be a joint tenancy, as provided in section 1, or unless acquired as community property or unless acquired by executors or trustees.

Section 3. The provisions of this act shall not restrict the creation of a joint tenancy in a bank deposit or in other choses in action as heretofore or hereafter provided by law, nor restrict the power of husband and wife to make agreements as provided in RCW 26.16.120.

Section 4. Section 1, page 165, Laws of 1885, section 1, chapter 270, Laws of 1953, and RCW 11.04.070 are each repealed.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State January 13, 1960. VICTOR A. MEYERS, Secretary of State.

# COMPLETE TEXT OF

# **Initiative Measure No. 210**

AN ACT providing for the uniform observance of daylight saving time in the State of Washington.

Be It Enacted by the People of the State of Washington:

Section 1. That at two o'clock antemeridian Pacific Standard Time of the last Sunday in April each year the time of the State of Washington shall be advanced one hour, and at two o'clock antemeridian Pacific Standard Time of the last Sunday in September in each year the time of the State of Washington shall, by the retarding of one hour, be returned to Pacific Standard Time.

STATE OF WASHINGTON-ss.

Filed in the office of the Secretary of State April 15, 1960. VICTOR A. MEYERS, Secretary of State.

# COMPLETE TEXT OF Initiative Measure No. 25

#### TO THE LEGISLATURE

AN ACT to conserve the state's fishery resources by limiting the powers of any person authorized to construct or operate dams or to appropriate water; defining "person"; and providing a saving clause to preserve the validity of the remainder of this act if other parts are held invalid.

Be It Enacted by the Legislature of the State of Washington:

Section 1. For the purpose of conserving the State's fishery resources the powers of any person authorized to construct or operate dams or to appropriate water in the state are hereby limited in that no such person shall construct, complete or operate, either for himself or as an agent or independent contractor for another, any dam or other obstruction over 25 feet high on any tributary stream of the Columbia River downstream from McNary Dam, including the Cowlitz River and its tributaries, within the migration range of anadromous fish as jointly determined by the Directors of Fisheries and Game, except the north fork of the Lewis River and the White Salmon River (Big White Salmon River), nor shall any such person obtain or use a federal license for such purpose; nor shall any such person divert any water from any such stream in such quantities that will reduce the respective stream flows below the annual average low flow as set forth in existing or future United States Geological reports; Provided that, when the flow is below such annual average low flow, then such person may divert water, subject to legal appropriation, only upon the concurrent order of the Directors of Fisheries and Game.

Section 2. The term "person" as used in Section 1 herein shall include any municipal corporation or other political subdivision of this state or another state, any other public or quasi-public corporation, any private corporation or other organization organized under the laws of this state or another state, and any individual or group of individuals.

Section 3. If any section or provision or part thereof of this act shall be held unconstitutional or for any other reason invalid, the invalidity of such section, provision or part thereof shall not affect the validity of the remaining sections, provisions or parts thereof which are not judged to be invalid or unconstitutional.

STATE OF WASHINGTON-ss.

Filed in the office of the Secretary of State April 3, 1958. VICTOR A. MEYERS, Secretary of State.

# Complete Text of Proposed Constitutional Amendment

# Senate Joint Resolution No. 4

**Be It Resolved,** By the Senate and the House of Representatives of the State of Washington in legislative session assembled:

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of this state, for their adoption or rejection, the following proposed amendment to the Constitution of the State of Washington:

Section 33, Article II and Amendments 24 and 29 amendatory thereof, of the Constitution of the State of Washington are each hereby repealed.

And Be It Further Resolved, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the Senate February 27, 1959. JOHN A. CHERBERG, President of the Senate. Passed the House February 26, 1959. JOHN L. O'BRIEN, Speaker of the House.

### **EXPLANATORY COMMENT:**

All the words printed below in italics are in our State Constitution at the present time and are being taken out by this amendment.

Sec. 33, Article II (as amended): Alien Ownership. The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state.

# Mailing of the Voters' Pamphlet

The mailing of the Voters' Pamphlet has always been a difficult problem for the Secretary of State. First of all, the state constitution requires that the Secretary of State must mail **each** voter a copy of this pamphlet. This means that many households may receive two or more copies when one copy would have been sufficient.

In addition, state law provides that the addresses of voters **must** be taken from the permanent registration records on file in the office of the Secretary of State. Many voters when changing their residences no not bother to change their registration records as required by law. As a consequence, voters who do change their registration records when moving to a different residence may not only receive their copies but also copies of the pamphlet intended for the previous occupants. As you would understand, this situation is compounded when rental units are concerned.

Since the office of the Secretary of State has no authority to correct addresses as shown on the permanent registration cards, it becomes apparent that many households may receive multiple copies of the pamphlet. This is not only wasteful of taxpayers' money but annoying to the persons concerned. Furthermore, the office of Secretary of State gets blamed for what appears to be a senseless mailing of the pamphlets.

A great deal of this waste could be eliminated if every voter would conscientiously keep his permanent registration record up-to-date by either having his registration transferred or registering anew, as the situation may require, each time he changes his place of residence. By so doing, each city clerk and county auditor would then report the changes to the Secretary of State and then all such records would accurately reflect the current mailing address of each voter.

#### THIS PAMPHLET IS A 100% WASHINGTON PRODUCT!

All labor involved in the printing of this pamphlet, including art work, typesetting and printing, was done by highly skilled union craftsmen who are citizens of our state, employed by three Washington printing firms.

The paper was manufactured by a Washington paper mill from trees grown in the State of Washington.

