



REFERENDUM BILL 42

CHAPTER 54, LAWS OF 1991

Note: The explanatory statement was written by the Attorney General as required by law. The ballot title was submitted as part of Referendum Bill 42. The complete text of Referendum Bill 42 begins on page 23.

Vote cast by the 1991 Legislature on final passage:

House: Yeas, 64; Nays, 34; Absent or not voting, 0.

Senate: Yeas, 44; Nays, 4; Excused, 1; Absent or not voting, 0.

Statement for

ENHANCED 9-1-1 SAVES LIVES AND PROPERTY

You are hurt and cannot breathe or speak. Or, a child witnesses an accident or crime. Or, you are in emotional distress and cannot accurately describe your location. Enhanced 9-1-1 could mean the difference between life and death.

WHAT IS ENHANCED 9-1-1?

With Enhanced 9-1-1, when a call is answered, the caller's location is confidentially displayed on a screen. Help can be sent immediately to the correct location, even when the caller cannot talk, such as a suddenly ill person, or someone terrified by an intruder. Help can be sent even when callers such as children, babysitters, visitors, or distraught relatives or friends of victims, cannot describe their location.

ENHANCED 9-1-1 SHOULD BE AVAILABLE STATEWIDE

82% of Washington's geographic area does not have Enhanced 9-1-1, including areas where you or your loved ones live, travel or vacation. Referendum 42 would bring 24-hour-a-day, 7-day-a-week emergency answering to all of Washington.

Expanding Enhanced 9-1-1 statewide would cost only 20 cents a month on telephone bills, which would be reduced to 10 cents in 1998. These funds would be pooled to help bring E9-1-1 to areas now without it. Those currently without any 9-1-1 service would establish E9-1-1 through existing local government budgets or by a maximum of an additional 50 cents a month on telephone bills.

Official Ballot Title:

Shall enhanced 911 emergency telephone dialing be provided throughout the state and be funded by a tax on telephone lines?

The law as it now exists:

Counties are authorized to provide an emergency service communication system, commonly called a 911 system, for police, fire, medical and other emergency calls. Such a system may at the county's option be available either on a county-wide basis, or for a district within a county. With the

A FEW CENTS A MONTH COULD SAVE YOUR LIFE

Statewide, we have a huge investment in police, fire and emergency medical services. Enhanced 9-1-1 will speed access to those services, saving more lives and property...thus increasing the effectiveness of these vital services. For only a few cents a month, it's a bargain. *Vote yes!*

Rebuttal of Statement against

Opponents of Referendum-42 claim it's unnecessary—they should tell you this in an emergency. The fact is geographically 82% of Washington is *not* protected by *Enhanced 911*. *Enhanced 911* will lead to a better response system and *reduce* bureaucracy. Rather than taking away your right to vote, Referendum-42 *provides* you the right to vote to ensure lifesaving assistance for injured children, workers and the elderly. For so few pennies a month, don't leave yourself helpless.

For additional information on Referendum 42 call Citizens for Enhanced 911, (206) 931-8274.

Voters Pamphlet Statement Prepared by:

KAREN FRASER, State Representative; LEO K. THORSNESS, State Senator; ROBERT J. CLARK, Master, Washington State Grange.

Advisory Committee: MIKE PATRICK, Washington State Council of Police Officers; LAWRENCE KENNEY, Washington State Labor Council; MICHAEL McGOVERN, Washington State Council of Fire Fighters; EVAN A. IVERSON, Washington Senior Citizens Lobby; DONALD C. BRUNELL, Association of Washington Business.

approval of the voters, the county may impose a tax not exceeding \$.50 per month on the use of telephone access lines to fund the emergency service communication system. The telephone company collects the tax and remits the same to the county.

The effect of Referendum Bill 42, if approved into law:

All counties would be required, by December 31, 1998, to singly or in combination with adjacent counties implement an emergency service communication system, a 911 system. The system would be for the reporting of police, fire, medical and other emergencies. Such systems would selectively switch the calls to the appropriate public safety answering point which would have the capacity to automatically display the name, address and telephone number of the incoming 911 call. A county tax of \$.50 per switched access line each month, not requiring voter approval, would be collected by

the telephone company and remitted to the county for operating the system.

A statewide emergency communication network, also a 911 system, would be provided. A statewide advisory committee would be created, appointed by the director of the Office of Community Development, and a 911 state coordination office would be established. Commencing on January 1, 1992, there would be a \$.20 per month charge for each switched access line, and thereafter the amount would be set by the Utilities and Transportation Commission in response to a recommendation by the state 911 coordinator. However, such charge could not exceed \$.20 per month, and after December 31, 1998, \$.10 per month. This tax would be collected by the local telephone company and remitted to the state.

Statement against

REFERENDUM BILL 42 IS TOTALLY UNNECESSARY

We strongly support 911...but we don't need this referendum. Current law already allows counties to establish 911 services. In fact, 94% of the phone lines in Washington are covered by 911.

For those areas not covered, counties already have the authority to impose a 911 surcharge with voter approval. This tax is limited to six years without subsequent voter approval. Referendum-Bill-42 would remove the six-year limitation and allow the tax to be imposed indefinitely.

Referendum-Bill-42 also creates an additional bureaucracy paid for by a surcharge on your phone. The initial cost to implement Referendum-Bill-42 is an estimated \$16.5 million with an additional \$6 million subsidy every year thereafter. We just don't need more government, more taxes, and less accountability.

REFERENDUM BILL 42 GIVES EVEN MORE TAXING POWER TO GOVERNMENT

Referendum-Bill-42 repeals laws requiring counties to obtain voter approval before they can impose a tax on phone services. We are again being asked to give up a right to protect ourselves from excessive taxation and make it easier for government to tax us more.

In addition, Referendum-Bill-42 imposes a new statewide tax on every phone line in Washington so users will be hit with two ongoing taxes...a county tax and a state tax.

REFERENDUM BILL 42 WILL COST EVERYONE, EVEN THE POOR

Referendum-Bill-42 imposes taxes on everyone's telephone line without regard to economic status. Thus, seniors, the poor, and others on fixed incomes will be hit the hardest.

Moreover, Referendum-Bill-42 forces those who have already paid or are paying for their own 911 services to subsidize others who can afford to pay for themselves. This is not fair.

PLEASE VOTE "NO" ON REFERENDUM BILL 42

Rebuttal of Statement for

We want to make it very clear. We strongly support 911.

But Referendum-Bill-42 wants to tax everyone in the state, including the poor, to subsidize 911 services for others who can easily afford to pay for themselves. This is not fair.

In addition, it creates a new state tax, removes your right to approve tax increases, creates additional bureaucracy and costs millions of dollars. Let's keep local control and tax fairness.

Vote "No" on Referendum Bill 42.

Voters Pamphlet Statement Prepared by:

JOHN BETROZOFF, State Representative; PAUL ZELINSKY, SR., State Representative.

Advisory Committee. ROSE BOWMAN, State Representative; STEVE VAN IJVEN, State Representative.



COMPLETE TEXT OF Initiative Measure 559 (con't.)

being used under terms of a franchise from a public agency, or operating as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection (2) shall be the dominant factors in valuation. When provisions of this subsection (2) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(3) In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

NEW SECTION. Sec. 2. A new section is added to chapter 84.40 RCW to read as follows:

For taxes payable in 1992 and thereafter, all real property shall be valued at one hundred percent of its assessed value, as finally determined, after any appeals, for property taxes payable in 1985, adjusted as follows: (1) The 1985 assessed value shall be increased to reflect the addition since 1985 of any assessable improvements to such property, that constitute real property, at the cost thereof or, if less, at the true and fair value thereof; (2) the 1985 assessed value shall be reduced to reflect the loss, removal, damage, or destruction since 1985 of any part of such real property, at the true and fair value thereof at the time of such loss, removal, damage, or destruction; and (3) except as provided in section 3 of this act, the 1985 assessed value shall be adjusted to reflect the percentage change in the consumer price index for all urban consumers in the United States, as published by the United States department of labor, from January 1, 1985, to January 1, 1991, for taxes payable in 1992 and for taxes payable in 1993 and thereafter, the assessed value shall be adjusted to reflect the percentage change in the consumer price index for all urban consumers in the United States, as published by the United States department of labor, from January 1 of the year preceding the assessment year to January 1 of the assessment year. In no event shall the percentage change so determined result in an increase in assessed value for any real property that exceeds four percent of the assessed value of the property for the immediately preceding assessment year. In no event shall the assessed value of any real property exceed one hundred percent of the true and fair value thereof as determined under RCW 84.40.030.

NEW SECTION. Sec. 3. A new section is added to chapter 84.40 RCW to read as follows:

In the event any real property is sold or transferred subsequent to January 1, 1985, in a transaction subject to the real estate excise tax imposed under chapter 82.45 RCW, the assessed value thereof shall equal the selling price of the real property as determined under RCW 82.45.030, subject, however, to such adjustments after the date of sale or transfer as are provided in section 2 (1), (2), and (3) of this act; provided, however, adjustments in the assessed value of real property caused by any percentage change in the consumer price index as specified in section 2(3) of this act shall be made from January 1 of the year following any such sale or transfer. In no event shall the assessed value of any real property exceed one hundred percent of the true and fair value of the real property as determined under RCW 84.40.030.

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.

NEW SECTION. Sec. 5. This act shall be effective for taxes levied for collection in 1992 and thereafter.

NEW SECTION. Sec. 6. The department of revenue shall adopt rules to implement this act.

PLEASE NOTE:

To obtain a copy of the preceding and following texts for the state measures in larger print, call the Secretary of State's toll-free hotline -- 1-800-448-4881.



COMPLETE TEXT OF Referendum Bill 42

AN ACT Relating to state-wide implementation of enhanced 911; amending RCW 38.52.030, 9.73.070, 82.14B.010, 82.14B.020, 82.14B.030, 82.14B.040, 82.14B.090, and 82.14B.100; adding new sections to chapter 38.52 RCW; repealing RCW 80.36.550, 80.36.5501, and 82.14B.080; and providing for submission of this act to a vote of the people.



**COMPLETE TEXT OF
Referendum Bill 42
(con't.)**

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

NEW SECTION. Sec. 1. The legislature finds that a state-wide emergency communications network of enhanced 911 telephone service, which allows an immediate display of a caller's identification and location, would serve to further the safety, health, and welfare of the state's citizens, and would save lives. The legislature, after reviewing the study outlined in section 1, chapter 260, Laws of 1990, further finds that state-wide implementation of enhanced 911 telephone service is feasible and should be accomplished as soon as practicable.

Sec. 2. RCW 38.52.030 and 1986 c 266 s 25 are each amended to read as follows:

(1) The director may employ such personnel and may make such expenditures within the appropriation therefor, or from other funds made available for purposes of emergency management, as may be necessary to carry out the purposes of this chapter.

(2) The director, subject to the direction and control of the governor, shall be responsible to the governor for carrying out the program for emergency management of this state. The director shall coordinate the activities of all organizations for emergency management within the state, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this chapter, as may be prescribed by the governor.

(3) The director shall develop and maintain a comprehensive, all-hazard emergency plan for the state which shall include an analysis of the natural and man-caused hazards which could affect the state of Washington, and shall include the procedures to be used during emergencies for coordinating local resources, as necessary, and the resources of all state agencies, departments, commissions, and boards. The comprehensive, all-hazard emergency plan authorized under this subsection may not include preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack. This plan shall be known as the comprehensive emergency management plan.

(4) In accordance with the comprehensive emergency management plans and the programs for the emergency management of this state, the director shall procure supplies and equipment, institute training programs and public information programs, and shall take all other preparatory steps, including the partial or full mobilization of emergency management organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped

forces of emergency management personnel in time of need.

(5) The director shall make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for emergency management, and shall plan for the most efficient emergency use thereof.

(6) The director may appoint a communications coordinating committee consisting of six to eight persons with the director, or his or her designee, as chairman thereof. Three of the members shall be appointed from qualified, trained and experienced telephone communications administrators or engineers actively engaged in such work within the state of Washington at the time of appointment, and three of the members shall be appointed from qualified, trained and experienced radio communication administrators or engineers actively engaged in such work within the state of Washington at the time of appointment. This committee shall advise the director on all aspects of the communications and warning systems and facilities operated or controlled under the provisions of this chapter.

(7) The director, through the state enhanced 911 coordinator, shall coordinate and facilitate implementation and operation of a state-wide enhanced 911 emergency communications network.

(8) The director shall appoint a state coordinator of search and rescue operations to coordinate those state resources, services and facilities (other than those for which the state director of aeronautics is directly responsible) requested by political subdivisions in support of search and rescue operations, and on request to maintain liaison with and coordinate the resources, services, and facilities of political subdivisions when more than one political subdivision is engaged in joint search and rescue operations.

~~((#))~~ (9) The director, subject to the direction and control of the governor, shall prepare and administer a state program for emergency assistance to individuals within the state who are victims of a natural or man-made disaster, as defined by RCW 38.52.010(6). Such program may be integrated into and coordinated with disaster assistance plans and programs of the federal government which provide to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of assistance to individuals affected by a disaster. Further, such program may include, but shall not be limited to, grants, loans, or gifts of services, equipment, supplies, materials, or funds of the state, or any political subdivision thereof, to individuals who, as a result of a disaster, are in need of assistance and who meet standards of eligibility for disaster assistance established by the department of social and health services: PROVIDED, HOWEVER, That nothing herein shall be construed in any manner inconsistent with the provisions of Article VIII, section 5 or section 7 of the Washington state Constitution.

~~((#))~~ (10) The director shall appoint a state coordinator for radioactive and hazardous waste emergency response programs. The coordinator shall consult with the state



COMPLETE TEXT OF Referendum Bill 42 (con't.)

radiation control officer in matters relating to radioactive materials. The duties of the state coordinator for radioactive and hazardous waste emergency response programs shall include:

(a) Assessing the current needs and capabilities of state and local radioactive and hazardous waste emergency response teams on an ongoing basis;

(b) Coordinating training programs for state and local officials for the purpose of updating skills relating to emergency response;

(c) Utilizing appropriate training programs such as those offered by the federal emergency management agency, the department of transportation and the environmental protection agency; and

(d) Undertaking other duties in this area that are deemed appropriate by the director.

NEW SECTION. Sec. 3. By December 31, 1998, each county, singly or in combination with adjacent counties, shall implement district-wide, county-wide, or multicounty-wide enhanced 911 emergency communications systems so that enhanced 911 is available throughout the state. The county shall provide funding for the enhanced 911 communication system in the county or district in an amount equal to the amount the maximum tax under RCW 82.14B.030(1) would generate in the county or district or the amount necessary to provide full funding of the system in the county or district, whichever is less. The state enhanced 911 coordination office established by section 4 of this act shall assist and facilitate enhanced 911 implementation throughout the state.

NEW SECTION. Sec. 4. A state enhanced 911 coordination office, headed by the state enhanced 911 coordinator, is established in the emergency management division of the department. Duties of the office shall include:

(1) Coordinating and facilitating the implementation and operation of enhanced 911 emergency communications systems throughout the state;

(2) Seeking advice and assistance from, and providing staff support for, the enhanced 911 advisory committee; and

(3) Recommending to the utilities and transportation commission by August 31st of each year the level of the state enhanced 911 excise tax for the following year.

NEW SECTION. Sec. 5. The enhanced 911 advisory committee is created to advise and assist the state enhanced 911 coordinator in coordinating and facilitating the implementation and operation of enhanced 911 throughout the

state. The director shall appoint members of the committee who represent diverse geographical areas of the state and include state residents who are members of the national emergency number association, the associated public communications officers northwest, the Washington state fire chiefs association, the Washington association of sheriffs and police chiefs, the Washington state council of fire fighters, the Washington state council of police officers, the Washington ambulance association, the state fire policy board, the Washington fire commissioners association, the Washington state patrol, the association of Washington cities, the Washington state association of counties, the utilities and transportation commission or commission staff, and representatives of large and small local exchange telephone companies. This section shall expire December 31, 2000.

NEW SECTION. Sec. 6. The enhanced 911 account is created in the state treasury. All receipts from the state enhanced 911 excise tax imposed by RCW 82.14B.030 shall be deposited into the account. Moneys in the account shall be used only to help implement and operate enhanced 911 state-wide. The state enhanced 911 coordinator, with the advice and assistance of the enhanced 911 advisory committee, shall specify by rule the purposes for which moneys may be expended from this account.

Sec. 9. RCW 82.14B.010 and 1981 c 160 s 1 are each amended to read as follows:

The legislature finds that the state and counties should be provided with an additional revenue source to fund enhanced 911 emergency ((service)) communication systems throughout the state on a multicounty, county-wide, or district-wide basis. The legislature further finds that the most efficient and appropriate method of deriving additional revenue for this purpose is to ((vest the legislative authorities of the counties, subject to voter approval, with the power to)) impose an excise tax on the use of ((telephone)) switched access lines.

Sec. 10. RCW 82.14B.020 and 1981 c 160 s 2 are each amended to read as follows:

As used in this chapter:

(1) "Emergency services communication system" means a multicounty, county-wide, or district-wide radio or landline communications network, including an enhanced 911 telephone system, which provides rapid public access for coordinated dispatching of services, personnel, equipment, and facilities for police, fire, medical, or other emergency services.

(2) "((Telephone)) Enhanced 911 telephone system" means a public telephone system consisting of a network, data base, and on-premises equipment that is accessed by dialing 911 and that enables reporting police, fire, medical, or other emergency situations to a public safety answering



**COMPLETE TEXT OF
Referendum Bill 42
(con't.)**

point. The system includes the capability to selectively route incoming 911 calls to the appropriate public safety answering point that operates in a defined 911 service area and the capability to automatically display the name, address, and telephone number of incoming 911 calls at the appropriate public safety answering point.

(3) "Switched access line" means the telephone service line which connects a subscriber's main telephone(s) or equivalent main telephone(s) to the ~~((telephone))~~ local exchange company's switching office.

~~((3))~~ (4) "~~((Telephone))~~ Local exchange company" has the meaning ascribed to it in RCW 80.04.010.

Sec. 11. RCW 82.14B.030 and 1981 c 160 s 3 are each amended to read as follows:

(1) The legislative authority of a county may impose ~~((am))~~ a county enhanced 911 excise tax on the use of ~~((telephone))~~ switched access lines in an amount not exceeding fifty cents per month for each ~~((telephone))~~ switched access line. The amount of tax shall be uniform for each ~~((telephone))~~ switched access line. ~~((This tax must be approved by a favorable vote of at least three-fifths of the electors thereof voting on the proposition, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in the county at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in the county in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in the county in the last preceding general election. This tax may be imposed for six years without subsequent voter approval. At any election held under this section, the ballot title of the proposition shall state the maximum monthly rate of the proposed tax which may be imposed by the county legislative authority. The actual rate of tax to be imposed shall be set by ordinance, which rate shall not exceed the maximum monthly rate approved by the electors.~~

No tax may be imposed under this section for more than one year before the expected implementation date of an emergency services communication system. ~~The power granted under this section is in addition to any other authority which counties have to fund emergency services communication systems.)~~ Each county shall provide notice of such tax to all local exchange companies serving in the county at least sixty days in advance of the date on which the first payment is due.

(2) Beginning January 1, 1992, a state enhanced 911 excise tax is imposed on all switched access lines in the state. For 1992, the tax shall be set at a rate of twenty cents per month for each switched access line. Until December 31, 1998, the amount of tax shall not exceed twenty cents per month for each switched access line and thereafter shall not exceed ten cents per month for each switched access line. The tax shall be uniform for each switched access line. Tax proceeds shall be deposited by the treasurer in the enhanced 911 account created in section 6 of this act.

(3) By August 31st of each year the state enhanced 911 coordinator shall recommend the level for the next year of the state enhanced 911 excise tax to the utilities and transportation commission. The commission shall by the following October 31st determine the level of the state enhanced 911 excise tax for the following year.

Sec. 12. RCW 82.14B.040 and 1981 c 160 s 4 are each amended to read as follows:

~~((A county imposing a))~~ The state enhanced 911 tax and the county enhanced 911 tax ~~((under))~~ created in this chapter shall ~~((require collection of the tax))~~ be collected from the user by the ~~((telephone))~~ local exchange company providing the switched access line. The ~~((telephone))~~ local exchange company shall state the amount of the ~~((tax))~~ taxes separately on the billing statement which is sent to the user.

Sec. 13. RCW 82.14B.090 and 1987 c 17 s 3 are each amended to read as follows:

An emergency service communication district is authorized to finance and provide an emergency service communication system and ~~((if authorized by the voters;))~~ to finance the system by imposing the excise tax authorized in RCW 82.14B.030.

Sec. 14. RCW 82.14B.100 and 1987 c 17 s 4 are each amended to read as follows:

RCW 82.14B.040 through 82.14B.060 apply to any emergency service communication district established under RCW 82.14B.070 ~~((through))~~ and 82.14B.090. ~~((A ballot proposition to authorize the excise tax authorized under RCW 82.14B.040 through 82.14B.060 may be submitted to the voters of a proposed emergency service communication district at the same election the ballot proposition creating the district is submitted. The authority to impose the tax shall only exist if both of these ballot propositions are approved.))~~

NEW SECTION. Sec. 15. The following acts or parts of acts are each repealed:

- (1) RCW 80.36.550 and 1990 c 260 s 3;
- (2) RCW 80.36.5501 and 1990 c 260 s 2; and
- (3) RCW 82.14B.080 and 1987 c 17 s 2.

NEW SECTION. Sec. 16. Section 1 and 3 through 7 of



COMPLETE TEXT OF Referendum Bill 42 (con't.)

this act are each added to chapter 38.52 RCW.

NEW SECTION, Sec. 17. Sections 1 through 6 and 9 through 16 of this act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof. The ballot title for this act shall be: "Shall enhanced 911 emergency telephone dialing be provided throughout the state and be funded by a tax on telephone lines?"



COMPLETE TEXT OF Initiative Measure 119

AN ACT Relating to the natural death act; and amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.040, 70.122.050, 70.122.060, 70.122.070, 70.122.080, 70.122.090, 70.122.100, and 70.122.900.

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

Sec. 1. Section 2, chapter 112, Laws of 1979 and RCW 70.122.010 are each amended to read as follows:

The ~~(legislature)~~ people find~~(s)~~ that adult persons have the fundamental right to control the decisions relating to the rendering of their own medical care, including the decision to have all life-sustaining procedures withheld or withdrawn in instances of a terminal condition, and including the right to death with dignity through voluntary aid-in-dying if suffering from a terminal condition.

The ~~(legislature)~~ people further find~~(s)~~ that modern medical technology has made possible the artificial prolongation of human life beyond natural limits.

The ~~(legislature)~~ people further find~~(s)~~ that, in the interest of protecting individual autonomy, such prolongation of life for persons with a terminal condition may cause loss of patient dignity, and unnecessary pain and suffering, while providing nothing medically necessary or beneficial to the patient.

The ~~(legislature)~~ people further find~~(s)~~ that there exists considerable uncertainty in the medical and legal professions as to the legality of terminating the use or application of life-

sustaining procedures where the patient has voluntarily and in sound mind evidenced a desire that such procedures be withheld or withdrawn.

The people further find that existing law does not allow willing physicians to render aid-in-dying to qualified patients who request it.

In recognition of the dignity and privacy which patients have a right to expect, the ~~(legislature)~~ people hereby declare~~(s)~~ that the laws of the state of Washington shall recognize the right of an adult person to make a written directive instructing such person's physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition, and/or to request and receive aid-in-dying under the provisions of this chapter.

Sec. 2. Section 3, chapter 112, Laws of 1979 and RCW 70.122.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) "Attending physician" means the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

(2) "Directive" means a written document voluntarily executed by the declarer in accordance with the requirements of RCW 70.122.030.

(3) "Health facility" means a hospital as defined in RCW ~~(70.38.020(7) or)~~ 70.41.020(2), a nursing home as defined in RCW ~~(70.38.020(8))~~ 18.51.010, or a home health agency or hospice agency as defined in RCW 70.126.010.

(4) "Life-sustaining procedure" means any medical or surgical procedure or intervention which utilizes mechanical or other artificial means to sustain, restore, or supplant a vital function, which, when applied to a qualified patient, would serve only to artificially prolong the moment of death ~~(and where, in the judgment of the attending physician, death is imminent whether or not such procedures are utilized).~~ "Life-sustaining procedure" includes, but is not limited to, cardiac resuscitation, respiratory support, and artificially administered nutrition and hydration, but shall not include the administration of medication to relieve pain or the performance of any medical procedure deemed necessary to alleviate pain.

(5) "Physician" means a person licensed under chapters 18.71 or 18.57 RCW.

(6) "Qualified patient" means a patient diagnosed and certified in writing to be afflicted with a terminal condition by two physicians one of whom shall be the attending physician, who have personally examined the patient.

(7) "Terminal condition" means an incurable ~~(condition caused by injury, disease, or illness, which, regardless of the application of life-sustaining procedures, would within reasonable medical judgment, produce death, and where the application of life-sustaining procedures serve only to postpone the moment of death of the patient.)~~ or irreversible condition which, in the written opinion of two physicians