

in international waters of the Pacific Ocean in conformity with treaty agreements with the United States.

Passed the House March 13, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 26, 1963.

CHAPTER 235.

[H. B. 303.]

PHYSICAL EDUCATION.

AN ACT relating to physical education; and amending section 5, chapter 89, Laws of 1919, section 2, chapter 89, Laws of 1919, as amended by section 1, chapter 78, Laws of 1923 and RCW 28.05.040.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 5, chapter 89, Laws of 1919, section 2, chapter 89, Laws of 1919, as amended by section 1, chapter 78, Laws of 1923 (heretofore combined and codified as RCW 28.05.040) are each amended to read as follows:

RCW 28.05.040 amended.

All high schools of the state and community colleges shall, and all state colleges, the University of Washington and the Washington State University, shall, each of them, emphasize the work of physical education, and shall carry into effect all such courses provided by the state board of education; which shall provide for a minimum of ninety minutes in each school week: *Provided*, That individual students may be excused on account of physical disability, employment or religious belief, or because of participation in directed athletics or military

Physical education in high schools and higher institutions.

Proviso.

Proviso.

science and tactics: *Provided further*, That individual high school students shall be excused therefrom upon the written request of parents or guardians.

Passed the House March 8, 1963.

Passed the Senate March 7, 1963.

Approved by the Governor March 26, 1963, with the exception of a certain item in Section 1, which was vetoed.

Veto message,
excerpt.

NOTE: This act as passed by the Legislature purported to strike the last proviso. However, such action was vetoed by the Governor. The Governor's explanation of such partial veto is as follows:

"This bill makes mandatory at all high schools of the state and all institutions of higher learning, including community colleges, physical education for a minimum of ninety minutes during each school week. I am in full accord with the requirement that all of our youngsters should benefit from an adequate physical education program, such as is demanded by this bill.

"Originally, the bill contained the following item: 'PROVIDED FURTHER, That individual high school students shall be excused therefrom upon the written request of parents or guardians.' This item was stricken by the Legislature. While I strongly believe that high school students should receive adequate physical education, I am equally convinced that parents of students are in a better position than the school authorities to determine whether good reasons exist why their children should be excused from such a program.

"For this reason the item quoted is vetoed, thereby restoring the the language quoted in the preceding paragraph, and the remainder of House Bill No. 303 is approved."

ALBERT D. ROSELLINI,
Governor.