

damages the amount specified in the bond, unless he enters into a contract in accordance with his bid, and no bid shall be considered unless accompanied by such check, cash or bid bond. At the time and place named such bids shall be publicly opened and read and the board of water commissioners shall proceed to canvass the bids and may let such contract to the lowest responsible bidder upon plans and specifications on file or to the best bidder submitting his own plans and specifications: PROVIDED, That no contract shall be let in excess of the cost of said materials or work, or if in the opinion of the board of water commissioners all bids are unsatisfactory they may reject all of them and readvertise and in such case all checks, cash or bid bonds shall be returned to the bidders; but if such contract be let, then and in such case all checks, cash or bid bonds shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such materials or doing such work, and a bond to perform such work furnished with sureties satisfactory to the board of water commissioners in the full amount of the contract price between the bidder and the commission in accordance with the bid. If said bidder fails to enter into said contract in accordance with said bid and furnish such bond within ten days from the date at which he is notified that he is the successful bidder, the said check, cash or bid bonds and the amount thereof shall be forfeited to the water district: PROVIDED, That if the bidder fails to enter into a contract in accordance with his bid, and the board of water commissioners deems it necessary to take legal action to collect on any bid bond required herein, then, in such event, the water district shall be entitled to collect from said bidder any legal expenses, including reasonable attorneys' fees occasioned thereby. In the event of an emergency when the public interest or property of the water district would suffer material injury or damage by delay, upon resolution of the board of water commissioners declaring the existence of such emergency and reciting the facts constituting the same, the board may waive the requirements of this chapter with reference to any purchase or contract.

Passed the House March 27, 1975.

Passed the Senate May 14, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 65

[Substitute House Bill No. 219]

COMMUNITY COLLEGE CAPITAL PROJECTS— GENERAL OBLIGATION BOND FINANCING

AN ACT Relating to community colleges; authorizing the issuance and sale of certain state general obligation bonds, including bond anticipation notes, to fund certain community college capital projects previously approved by the legislature; providing ways and means for the payment of such bonds; creating new sections; adding new sections to Title 28B RCW as a new chapter thereof; making an appropriation and authorizing expenditures for the fiscal biennium beginning July 1, 1975 and ending June 30, 1977; and declaring an emergency.

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

NEW SECTION. Section 1. The legislature has previously approved by its appropriation of funds from time to time, certain capital projects for the state

community colleges, which appropriations were to be funded primarily by the issuance of general tuition fee, limited obligation bonds by the state board for community college education (hereinafter in this act called the "college board"). In order that any future appropriations for such approved capital projects may be funded on terms most advantageous to the state, it is hereby determined to be in the public interest to provide for the issuance of state general obligation bonds, in lieu of general tuition fee, limited obligation bonds.

For purposes of this act, "community college capital projects" means the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights of way, easements, improvements or appurtenances in relation thereto.

NEW SECTION. Sec. 2. For the purpose of providing funds for carrying out the community college capital projects described in section 3 of this act, and to fund indebtedness and expenditures heretofore incurred for such projects, the state finance committee is hereby authorized to issue from time to time general obligation bonds of the state of Washington in the aggregate principal amount of nine million dollars, or so much thereof as may be required for such purposes, to be paid and discharged within thirty years of the date or dates of issuance, in accordance with Article VIII, section 1 of the Constitution of the state of Washington.

NEW SECTION. Sec. 3. The community college capital projects referred to in section 2 of this act are (1) at Walla Walla Community College, for construction of vocational facilities, Phase II, at a cost of not more than two million two thousand three hundred ninety-nine dollars and (2) at Seattle Central Community College, for remodeling of Edison South High School, at a cost of not more than six million nine hundred ninety-seven thousand six hundred and one dollars, which projects were to be primarily funded, but have not heretofore been sufficiently funded, from the proceeds of general tuition fee, limited obligation bonds issued by the college board.

NEW SECTION. Sec. 4. When the state finance committee has determined to issue such general obligation bonds or a portion thereof, it may, pending the issuance thereof, issue in the name of the state temporary notes in anticipation of the issuance of such bonds, which notes shall be designated as "bond anticipation notes". Such portion of the proceeds of the sale of such bonds as may be required for the payment of principal and redemption premium, if any, of and interest on such notes shall be applied thereto when such bonds are issued.

The state finance committee is authorized to prescribe the form, terms, conditions and covenants of the bonds and/or the bond anticipation notes, the time or times of sale of all or any portion of them, and the conditions and manner of their sale and issuance.

Each such bond and bond anticipation note shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal thereof and the interest thereon when due.

NEW SECTION. Sec. 5. The proceeds from the sale of the bonds and/or bond anticipation notes authorized herein, together with all grants, donations, transferred funds, and all other moneys which the state finance committee or the college board may direct the state treasurer to deposit therein, shall be deposited in the 1975 community college capital construction account, hereby created in the state general fund.

NEW SECTION. Sec. 6. All proceeds of the bonds authorized in this act shall be administered by the college board exclusively for the purposes specified in this act and for the payment of the expenses incurred in connection with the sale and issuance of such bonds and bond anticipation notes.

NEW SECTION. Sec. 7. The 1975 community college capital construction bond retirement fund is hereby created in the state treasury for the purpose of the payment of principal of and interest on the bonds authorized to be issued pursuant to this act.

The state finance committee, on or before June 30 of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and interest coming due on such bonds. On July 1st of each such year the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the 1975 community college capital construction bond retirement fund an amount equal to the amount certified by the state finance committee.

NEW SECTION. Sec. 8. On or before June 30 of each year, the college board shall accumulate in the community college capital projects account from general tuition fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued pursuant to this act. On July 1st of each such year, the state treasurer shall withdraw said sum from the community college capital projects account and deposit said sum in the state general fund: PROVIDED, That withdrawal of general tuition fees from the community college capital projects account for deposit into the state general fund pursuant to the provisions of this section shall be made only after provision has first been made for the payment in full of the principal of and interest on all outstanding general tuition fee, limited obligation bonds of the college board coming due in the twelve months next succeeding July 1 of each such year, and for any reserve account deposits necessary for such outstanding bonds in the same period.

NEW SECTION. Sec. 9. The bonds authorized in this act shall constitute a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 10. The bonds authorized in this act shall be issued only after the college board has certified to the state finance committee that its projected general tuition fee revenue shall be adequate, based upon reasonable projections of student enrollments, for the college board to meet the requirements of section 8 of this act, during the life of the bonds proposed to be issued.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act are added to Title 28B RCW as a new chapter thereof.

NEW SECTION. Sec. 12. There is hereby appropriated to the state board for community college education for the biennium ending June 30, 1977, from the community college capital construction account of the state general fund, the amount of nine million dollars or so much thereof as may be necessary to carry out the purposes of sections 1 through 10 of this act.

NEW SECTION. Sec. 13. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall in no way be affected.

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House May 9, 1975.

Passed the Senate May 16, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 66

[House Bill No. 627]

COMMON SCHOOLS STUDENT TRANSFERS— APPEAL PROCEDURE—ATTENDANCE CREDIT

AN ACT Relating to student transfers within the common schools; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.48 and 28A.58 RCW; repealing section 28A.48.040, chapter 223, Laws of 1969 ex. sess., section 8, chapter 130, Laws of 1969 and RCW 28A.48.040; and repealing section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.050.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The decision of a school district within which a student under the age of twenty-one years resides or of a school district within which such a student under the age of twenty-one years was last enrolled and is considered to be a resident for attendance purposes by operation of law, to deny such student's request for release to a nonresident school district by an agreement pursuant to RCW 28A.58.240 may be appealed to the state board of education: PROVIDED, That the school district of proposed transfer is willing to accept the student.

The state board of education or its designee shall hear the appeal and examine the evidence. The state board of education may order the resident district to release such a student who is under the age of twenty-one years in the event it finds that a special hardship or detrimental condition of a financial, educational, safety or health nature affecting the student or the student's immediate family or custodian may likely be significantly alleviated as a result of the transfer. The decision of the state board of education may be appealed to superior court pursuant to chapter 34.04 RCW, the administrative procedure act, as now or hereafter amended.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.48 RCW a new section to read as follows: