

public school certificated and classified personnel, there is hereby adopted an act to be known as the "In-Service Training Act of 1977".

NEW SECTION. Sec. 2. The superintendent of public instruction is hereby empowered to administer funds now or hereafter appropriated for the conduct of in-service training programs for public school certificated and classified personnel and to supervise the conduct of such programs. The superintendent of public instruction shall adopt rules in accordance with chapter 34.04 RCW that provide for the allocation of such funds to public school district or educational service district applicants on such conditions and for such training programs as he or she deems to be in the best interest of the public school system: PROVIDED, That each district requesting such funds shall have conducted a district needs assessment of certificated and classified personnel to determine identified strengths and weakness of personnel that would be strengthened by such in-service training program: PROVIDED, FURTHER, That each school district or educational service district requesting funds shall have established an in-service training task force and demonstrated to the superintendent of public instruction that the task force has participated in and is supportive of the request for funding of the particular in-service training program. The task force required by this section shall be composed of representatives from the ranks of administrators, building principals, teachers, classified and support personnel employed by the applicant school district or educational service district, from the public, and from an institution(s) of higher education, in such numbers as shall be established by the superintendent of public instruction: PROVIDED FURTHER, That the task force in each district shall be appointed by the school board in each district from residents of the district, and that no less than sixty percent of the members thereof shall be public members not employed by the school district.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act are added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW.

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.

Passed the House May 27, 1977.

Passed the Senate May 25, 1977.

Approved by the Governor June 8, 1977.

Filed in Office of Secretary of State June 8, 1977.

CHAPTER 190

[House Bill No. 559]

STATE EMPLOYEES' INSURANCE BOARD—COMPOSITION

AN ACT Relating to the state employees' insurance board; reenacting and amending section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133), Laws of 1977 and RCW 41.05.020; and declaring an emergency.

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

Section 1. Section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133), Laws of 1977 and RCW 41.05.020 are each reenacted and amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed as follows: The governor or ~~((his))~~ the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The senate and house members of the board shall serve in ex officio capacity only. All appointments shall be made effective immediately. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. The first meeting of the board shall be held as soon as possible thereafter at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman at its first meeting and annually thereafter. Members of the board shall receive no compensation for their services, but shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for state employees, employees of county, municipal, or other political subdivisions of the state, and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, or protection applying to employees covered by RCW 28B.10.660 and 48.24.010 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority

to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years.

(3) The board shall develop and provide employee health care benefit plans; at least one plan will provide major medical benefits as its primary feature, at least one plan will provide basic first-dollar benefits as its primary feature plus major medical, either or all of which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and another plan to be provided by a panel medicine plan in its service area only when approved by the board. Except for panel medicine plans, no more than one insurance carrier or health care service contractor shall be contracted with to provide the same plan of benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board: PROVIDED FURTHER, That employees of the institutions of higher education shall be retained as a separate actuarial and experience group.

****NEW SECTION. Sec. 2. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.***

****Sec. 2. was vetoed, see message at end of chapter.***

Passed the House May 27, 1977.

Passed the Senate May 25, 1977.

Approved by the Governor June 8, 1977, with the exception of section 2 which is vetoed.

Filed in Office of Secretary of State June 8, 1977.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to one section House Bill No. 559 entitled:

"AN ACT Relating to the state employees' insurance board; reenacting and amending section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133), Laws of 1977 and RCW 41.05.020; and declaring an emergency."

Section 2 of the bill declares an emergency and provides for the act to take effect immediately. Under the Constitution, Article II, Sections 1(b) and 41, the use of an emergency clause does two things. First, it alters the time when a particular piece of legislation becomes effective, thereby eliminating what may be a desirable adjustment period for affected persons. Second, it excepts the legislation from the important referendum right reserved by the people. Because of these effects, the use of the clause should be restricted to those instances where the use is clearly warranted due to the urgency of the situation. For these reasons, I have vetoed this section.

With the exception of section 2, which I have vetoed, the remainder of House Bill No. 559 is approved."

CHAPTER 191

[House Bill No. 694]

STATE PATROL—BENTON COUNTY PROPERTY—DISPOSITION

AN ACT Relating to state property; and creating new sections.

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