

CHAPTER 261
[Engrossed Second Substitute House Bill No. 480]
EDUCATION--COMMUNITY COLLEGES--
STATE BUILDING AUTHORITY

AN ACT Relating to education; amending section 2, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.020; amending section 3, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.030; amending section 5, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.050; amending section 6, chapter 8, Laws of 1967 ex. sess. and RCW 28.85-.060; amending section 8, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.080; amending section 9, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.090; amending section 10, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.100; amending section 14, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.140; amending section 24, chapter 8, Laws of 1967 ex. sess. and RCW 28.85-.240; amending section 25, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.250; amending section 31, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.310; amending section 34, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.340; amending section 35, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.350; amending section 36, chapter 8, Laws of 1967 ex. sess. and RCW 28.85-.360; amending section 2, chapter 162, Laws of 1967 and RCW 43-.75.020; repealing section 11, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.110; adding a new section to chapter 8, Laws of 1967 ex. sess. and to chapter 28.85 RCW; repealing section 12, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.120; amending sections 28B.50.020, 28B.50.030, 28B.50.050, 28B.50-.060, 28B.50.080, 28B.50.090, 28B.50.100, 28B 50.140, 28B.50-.240, 28B.50.250, 28B.50.340, 28B.50.350 and 28B.50.360; chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.020, 28B.50.030, 28B-.50.050, 28B.50.060, 28B.50.080, 28B.50.090, 28B.50.100, 28B-.50.140, 28B.50.240, 28B.50.250, 28B.50.340, 28B.50.350 and 28B.50.360; adding new sections to chapter ..., Laws of 1969 (HB 58) and to chapter 28B.50 RCW; re-

pealing sections 28A.58.110 and 28A.58.120, chapter ..., Laws of 1969 (HB 58) and RCW 28A.58.110 and 28A.58.120; providing sections to affect the correlative and pari materia construction of this 1969 amendatory act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW if such titles shall be enacted; and declaring an emergency.

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

Section 1. Section 2, chapter 162, Laws of 1967 and RCW 43-.75.020 are each amended to read as follows:

The following terms, when used in this chapter, shall have the following meanings:

- (1) "Authority" means the state building authority.
- (2) "Institution of higher learning" means any one of the following: University of Washington, Washington State University, Western Washington State College, Eastern Washington State College, Central Washington State College, (~~or any four year state college that may be hereafter established~~) and The Evergreen State College.
- (3) "Governing body" shall mean the board of regents of the University of Washington, the board of regents of Washington State University, or the board of trustees of any of the state colleges.
- (4) "Project" shall mean a single undertaking by the authority to provide one or more buildings.
- (5) "Buildings" shall include structures together with improvements on appurtenant adjacent land for the enhancement of the utility or value thereof.

Part I. Sections affecting current education laws.

Sec. 2. Section 2, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.020 are each amended to read as follows:

The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of the continuing higher education program or for occupational training, by creating a new, independent system of com-

munity colleges which will:

(1) Offer an open door to every citizen, regardless of his academic background or experience, at a cost normally within his economic means;

(2) Ensure that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; ((and)) community services of an educational, cultural, and recreational nature; and adult education;

(3) Provide administration by state and local boards which will avoid unnecessary duplication of facilities or programs; and which will encourage efficiency in operation and creativity and imagination in education, training and service to meet the needs of the community and students;

(4) Allow for the growth, improvement, flexibility and modification of the community colleges and their education, training and service programs as future needs occur; and

(5) Establish firmly that community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of higher learning, and never to be considered for conversion into four-year liberal arts colleges.

Sec. 3. Section 3, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.030 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

(1) "System" shall mean the state system of community colleges, which shall be a system of higher education;

(2) "College board" shall mean the state board for community

college education created by this chapter;

(3) "Director" shall mean the administrative director for the state system of community colleges;

(4) "District" shall mean any one of the community college districts created by this chapter;

(5) "Board of trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree.

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade.

(9) "Common school board" shall mean the public school district board of ((trustees)) directors.

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education.

(11) "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate: PROVIDED, That "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: PROVIDED, FURTHER, That "adult education" shall not include education or instruction provided by any four year public institution of higher education: AND PROVIDED FURTHER, That adult ed-

ucation shall not include education or instruction provided by a vocational-technical institute.

Sec. 4. Section 5, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.050 are each amended to read as follows:

There is hereby created the "state board for community college education", to consist of seven members, one from each congressional district, who shall be appointed by the governor, with the consent of the senate. The terms of the initial members shall be as follows: Two members shall serve for a term of one year, two members shall serve for a term of two years, two members shall serve for a term of three years, and one member shall serve for a term of four years, respectively, following April 3, 1967. The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. All members shall be citizens and bona fide residents of the state. No member of the college board shall be, during his term of office, also a member of the state board of education, ~~((or))~~ a member of a K-12 board, ~~((or-be-employed-by-the-common-school-system))~~ a member of the governing board of any public or private educational institution, a member of a community college board of trustees, an employee of any of the above boards, or have any direct pecuniary interest in education within this state.

No member of the college board shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the college board, and mileage at the rate of ten cents per mile.

The members of the college board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28.76.290.

Sec. 5. Section 6, chapter 8, Laws of 1967 ex. sess. and RCW

28.85.060 are each amended to read as follows:

A director of the state system of community colleges shall be appointed by the college board and shall serve at the pleasure of the college board. He shall be appointed with due regard to his fitness and background in education, by his knowledge of and recent practical experience in the field of educational administration particularly in institutions beyond the high school level. The college board may also take into consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his (~~entire~~) time to the duties of his office and shall not (~~be actively engaged or employed in any other business, vocation or employment, nor shall he~~) have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies to the field of education within this state, in keeping with chapter 42.22 RCW, the code of ethics for public officers and employees.

He shall receive a salary to be fixed by the college board and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the college board and serve as its secretary and under its supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state. He shall attend, but not vote at, all meetings of the college board. He shall be in charge of offices of the college board and responsible to the college board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community colleges. At the direction of the college board, he shall, together with the chairman of the college board, execute all contracts entered into by the college board.

The director shall, with the approval of the college board:

(1) Employ necessary assistant directors of major staff divisions

and their confidential secretaries who shall serve at his pleasure on such terms and conditions as he determines, and (2) subject to the provisions of chapter 41.06 RCW, the state civil service law, (~~the director shall, with the approval of the college board,~~) appoint and employ such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the college board and for whose services funds have been appropriated. All employees of the state board of education who are governed by the provisions of chapter 41.06 RCW, and who are employed exclusively or principally in performing the powers and duties and functions transferred by this chapter to the state board for community college education, and who are transferred to the state board for community college education, shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law.

The board may, by written order filed in its office, delegate to the director any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the college board.

Sec. 6. Section 9, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.090 are each amended to read as follows:

The college board shall have general supervision and control over the state system of community colleges. In addition to the other powers and duties imposed upon the college board by this chapter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the community college boards of trustees, prepare a single budget for the support of the state system of community colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090; the coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(2) Establish guidelines for the disbursement of funds; and

receive and disburse such funds for adult education and for maintenance and operation and capital support of the community college districts in conformance with the state and district budgets, and in conformance with chapter 43.88 RCW;

(3) Ensure, through the full use of its authority,

(a) that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education: PROVIDED, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program as approved by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community college may deny admission to a prospective student or attendance to an enrolled student, if in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution.

(4) Prepare a comprehensive master plan for the development

of community college education and training in the state; and assist the state census board in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new community colleges or campuses within the existing districts;

(6) Establish (~~and-administer~~) criteria and procedures for modifying district boundary lines consistent with the purposes set forth in RCW 28.85.020 as now or hereafter amended and in accordance therewith make such changes as it deems advisable;

(7) Establish minimum standards to govern the operation of the community colleges with respect to:

(a) qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) the content of the curriculums and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies.

(8) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various community college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter;

(11) Authorize the various community colleges to offer pro-

grams and courses in other districts when it determines that such action is consistent with the purposes of this 1969 amendatory act as set forth in RCW 28.85.020 as now or hereafter amended; and

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any community college real and personal property when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community college system.

The college board shall have the power of eminent domain.

Sec. 7. Section 10, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.100 are each amended to read as follows:

There is hereby created a community college board of trustees for each community college district as set forth in this chapter.

Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor from a list of nominees submitted by

((the-nominating-committee-in-accordance-with-RCW 28.85.110)) nominating committees composed of those members of the state legislature residing within the boundaries of each community college district to be served. The senior legislator on each committee shall serve as chairman of the committee and shall call the meeting at some conveniently located place and shall set the time of the meeting. In making such appointments the governor shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture, the professions and ethnic groups.

The initial appointees to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, one for three years, one for four years, and one for five years.

Thereafter, ((until-July-1, 1969,)) the successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term.

Every trustee shall be a resident and qualified elector of his community college district. No trustee may ~~((serve-as))~~ be an employee of the community college system, a member of the board of directors of any school district, a member of the governing board of any public or private educational institution, or ~~((as))~~ an elected officer or member of the legislative authority of any municipal corporation.

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

Sec. 8. Section 14, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.140 are each amended to read as follows:

Each community college board of trustees:

- (1) Shall operate all existing community colleges and vocational-technical institutes in its district;
- (2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28.85.090(3);
- (3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidence of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28.76.180 through 28.76.210 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the

proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to

the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board; ((and))

(16) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; and

(17) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 9. Section 24, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.240 are each amended to read as follows:

The state board of education shall have the power to authorize the school districts to offer vocational education programs which are a part of the regular high school curriculum ((and--to--offer--adult--education--and--post--high--school vocational--educational--programs--which--are--not--in--conflict with--community--college--programs,--as--determined--by--the--coordinating--council)).

Sec. 10. Section 25, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.250 are each amended to read as follows:

The state board for community college education ((is hereby--authorized--to--cooperate--with)) and the state board of education are hereby authorized to permit, on an ad hoc basis, the common school districts to conduct pursuant to RCW 28.85.530 a program ((of--vocational--education--and--community--service--of--an--educational,--recreational--or--cultural nature--which--is--not--a--part--of--the--high--school--curriculum)) in adult education in behalf of a community college district when

such program will not conflict with existing programs of the same nature and in the same geographical area conducted by the community college districts: PROVIDED, That federal programs for adult education which are funded directly to the state board of education shall be administered by the superintendent of public instruction in cooperation with the director of the state board for community college education.

Sec. 11. Section 31, chapter 8, Laws of 1967 ex.sess. and RCW 28.85.310 are each amended to read as follows:

The board of trustees of each community college district shall charge to and collect from each of the students registered therein such general tuition, incidental fees and other fees for quarters other than summer session as follows:

(1) Resident students:

- (a) general tuition fees, fifty dollars per quarter; and
- (b) incidental fees not more than twenty dollars per quarter.

(2) Nonresident students:

- (a) general tuition fees, one hundred-fifty dollars per quarter; and
- (b) incidental fees, not more than twenty dollars per quarter.

(3) Tuition and incidental fees consistent with the above schedules will be fixed by the state board for community colleges for summer school students.

(4) The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

Notwithstanding any other provision of the 1967 community college act as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for students who are enrolled in a course of study or program

which will enable them to finish their high school education and obtain a high school diploma or certificate.

The term "resident students" as used in this section shall mean students who have been domiciled in this state at least one year prior to the commencement of the quarter for which he registers, federal employees and military personnel, the children and spouses of federal employees and military personnel residing within the state, and staff members of the community college and their children and spouses. The term "nonresident students" shall mean all students other than resident students.

The term "general tuition fees" as used in this section shall mean the general tuition fee charged students registered at the community college for quarters other than summer session, which fees shall be used as prescribed in RCW 28.85.320, 28.85.360 and 28.85-.370. The term "incidental fees" as used in this section shall include the fees other than general tuition fees, charged all students registering at the college for quarters other than summer sessions but shall not include fees for correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, laboratory, gymnasium, health fees, or fee charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the colleges heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon or such other special fees as may be established by the board of trustees from time to time.

Sec. 12. Section 34, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.340 are each amended to read as follows:

In addition to the powers conferred under RCW 28.85.090, the community college state board is authorized and shall have the power:

- (1) To permit the district boards of trustees to contract for

the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to forty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28.85.340 through 28.85-.400.

Sec. 13. Section 35, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.350 are each amended to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

(1) Shall not constitute

- (a) an obligation, either general or special, of the state; or
- (b) a general obligation of the college or of the college

board;

(2) Shall be

- (a) either registered or in coupon form; and
- (b) issued in denominations of not less than one hundred dol-

lars; and

(c) fully negotiable instruments under the laws of this

state; and

(d) signed on behalf of the college board with the manual or

facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;

(3) Shall state

(a) the date of issue; and

(b) the series of the issue and be consecutively numbered within the series; and

(c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28.85.330 through 28.85.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts

be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8)(b) above;

(9) Shall constitute a prior lien and charge against forty percent of all general tuition fees of the community colleges.

Sec. 14. Section 36, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.360 are each amended to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter forty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclu-

sively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the forty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for 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, and for the payment of principal of and interest on any bonds issued for such purposes.

NEW SECTION. Sec. 15. There is added to chapter 8, Laws of 1967 ex. sess. and to chapter 28.85 RCW a new section to read as follows:

A community college may issue a high school diploma or certificate, subject to rules and regulations promulgated by the superintendent of public instruction and the state board of education.

NEW SECTION. Sec. 16. The following acts or parts of acts are each hereby repealed:

(1) Section 11, chapter 8, Laws of 1967 ex. sess. and RCW 28-

.85.110; and

(2) Section 12, chapter 8, Laws of 1967 ex. sess. and RCW 28-.85.120.

Part II. Sections affecting proposed 1969 education code.

Sec. 17. Section 28B.50.020, chapter ..., Laws of 1968 (HB 58) and RCW 28B.50.020 are each amended to read as follows:

The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of the continuing higher education program or for occupational training, by creating a new, independent system of community colleges which will:

(1) Offer an open door to every citizen, regardless of his academic background or experience, at a cost normally within his economic means;

(2) Ensure that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; ((and)) community services of an educational, cultural, and recreational nature; and adult education;

(3) Provide administration by state and local boards which will avoid unnecessary duplication of facilities or programs; and which will encourage efficiency in operation and creativity and imagination in education, training and service to meet the needs of the community and students;

(4) Allow for the growth, improvement, flexibility and modification of the community colleges and their education, training and service programs as future needs occur; and

(5) Establish firmly that community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of

higher learning, and never to be considered for conversion into four-year liberal arts colleges.

Sec. 18. Section 28B.50.030, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.030 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term;

(1) "System" shall mean the state system of community colleges, which shall be a system of higher education;

(2) "College board" shall mean the state board for community college education created by this chapter;

(3) "Director" shall mean the administrative director for the state system of community colleges;

(4) "District" shall mean any one of the community college districts created by this chapter;

(5) "Board of trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree;

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade;

(9) "Common school board" shall mean the public school district board of (~~trustees~~) directors;

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education(~~(-)~~);

(11) "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions, in-

cluding common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate: PROVIDED, That "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: PROVIDED, FURTHER, That "adult education" shall not include education or instruction provided by any four year public institution of higher education: AND PROVIDED FURTHER, That adult education shall not include education or instruction provided by a vocational-technical institute.

Sec. 19. Section 28B.50.050, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.050 are each amended to read as follows:

There is hereby created the "state board of community college education", to consist of seven members, one from each congressional district, who shall be appointed by the governor, with the consent of the senate. The terms of the initial members shall be as follows: Two members shall serve for a term of one year, two members shall serve for a term of two years, two members shall serve for a term of three years, and one member shall serve for a term of four years, respectively, following April 3, 1967. The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. All members shall be citizens and bona fide residents of the state. No member of the college board shall be, during his term of office; also a member of the state board of education, ~~((or))~~ a member of a K-12 board, ~~((or-be-employed-by-the-common-school-system;))~~ a member of the governing board of any public or private educational institution, a member of a community college board of trustees, or an employee of any of the above boards, or have any direct pecuniary interest in education within this state.

No member of the college board shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the college board, and mileage at the rate of ten cents per mile.

The members of the college board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28B.10.500.

Sec. 20. Section 28B.50.060, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.060 are each amended to read as follows:

A director of the state system of community colleges shall be appointed by the college board and shall serve at the pleasure of the college board. He shall be appointed with due regard to his fitness and background in education, by his knowledge of and recent practical experience in the field of educational administration particularly in institutions beyond the high school level. The college board may also take into consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his (~~entire~~) time to the duties of his office and shall not (~~be actively engaged or employed in any other business, vocation or employment, nor shall he~~) have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies to the field of education within this state, in keeping with chapter 42.22 RCW, the code of ethics for public officers and employees.

He shall receive a salary to be fixed by the college board and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the college board and serve as its secretary and under its supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state. He shall at-

tend, but not vote at, all meetings of the college board. He shall be in charge of offices of the college board and responsible to the college board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community colleges. At the direction of the college board, he shall, together with the chairman of the college board, execute all contracts entered into by the college board.

The director shall, with the approval of the college board:

(1) Employ necessary assistant directors of major staff divisions and their confidential secretaries who shall serve at his pleasure V

on such terms and conditions as he determines, and (2) subject to the provisions of chapter 41.06 RCW, the state civil service law, the director shall, with the approval of the college board, appoint and employ such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the college board and for whose services funds have been appropriated. All employees of the state board of education who are governed by the provisions of chapter 41.06 RCW, and who are employed exclusively or principally in performing the powers and duties and functions transferred by this chapter to the state board for community college education, and who are transferred to the state board for community college education, shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law.

The board may, by written order filed in its office, delegate to the director any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the college board.

Sec. 21. Section 28B.50.090, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.090 are each amended to read as follows:

The college board shall have general supervision and control over the state system of community colleges. In addition to the other powers and duties imposed upon the college board by this chap-

ter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the community college boards of trustees, prepare a single budget for the support of the state system of community colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090; the coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for adult education and maintenance and operation and capital support of the community college districts in conformance with the state and district budgets, and in conformance with chapter 43.88 RCW;

(3) Ensure, through the full use of its authority,

(a) that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education: PROVIDED, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program as approved by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differ-

ing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of community college education and training in the state; and assist the state census board in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new community colleges or campuses within the existing districts;

(6) Establish (~~and-administer~~) criteria and procedures for modifying district boundary lines consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended and in accordance therewith make such changes as it deems advisable;

(7) Establish minimum standards to govern the operation of the community colleges with respect to:

(a) qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) the content of the curriculums and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies.

(8) Establish and administer criteria and procedures for all

capital construction including the establishment, installation, and expansion of facilities within the various community college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter;

(11) Authorize the various community colleges to offer programs and courses in other districts when it determines that such action is consistent with the purposes of this 1969 amendatory act as set forth in RCW 28B.50.020 as now or hereafter amended;

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any community college real and personal property when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community college system.

The college board shall have the power of eminent domain.

Sec. 22. Section 28B.50.100, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.100 are each amended to read as follows:

There is hereby created a community college board of trustees for each community college district as set forth in this chapter. Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor from a list of nominees submitted by ((~~the nominating committee in accordance with RCW 28B.50.110~~)) nominating committees composed of those members of the state legislature residing within the boundaries of each community college district to be served. The senior legislator on each committee shall serve as chairman of the committee and shall call the meeting at some conveniently located place and shall set the time of the meeting. In making such appointments the governor shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture, the professions and ethnic groups.

The initial appointees to the board of trustees shall draw lots

at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, one for three years, one for four years, and one for five years.

Thereafter (~~(7-until-July-1,--1969,)~~) the successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term.

Every trustee shall be a resident and qualified elector of his community college district. No trustee may (~~(serve-as)~~) be an employee of the community college system, a member of the board of directors of any school district, a member of the governing board of any public or private educational institution, or (~~(as)~~) an elected officer or member of the legislative authority of any municipal corporation.

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

Sec. 23. Section 28B.50.140, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation; and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advis-

able; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law

or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board; ((and))

(16) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; and

(17) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 24. Section 28B.50.240, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.240 are each amended to read as follows:

The state board of education shall have the power to authorize the school districts to offer vocational education programs which are a part of the regular high school curriculum ((and--to--offer--adult--education--and--post--high--school--vocational--educational--programs--which--are--not--in--conflict--with--community--college--programs,---as--determined--by--the--coordinating--council)).

Sec. 25. Section 28B.50.250, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.250 are each amended to read as follows:

The state board for community college education (~~(is hereby authorized to cooperate with)~~) and the state board of education are hereby authorized to permit, on an ad hoc basis, the common school districts to conduct pursuant to RCW 28.85.530 a program (~~(of veeational-education-and-community-service-of-an-educational,-recreational-or-cultural-nature-which-is-not-a-part-of-the-high-school-curriculum)~~) in adult education in behalf of a community college district when such program will not conflict with existing programs of the same nature and in the same geographical area conducted by the community college districts: PROVIDED, That federal programs for adult education which are funded directly to the state board of education shall be administered by the superintendent of public instruction in cooperation with the director of the state board for community college education.

Sec. 26. Section 28B.50.340, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.340 are each amended to read as follows:

In addition to the powers conferred under RCW 28B.50.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to forty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

(4) To retain bond counsel and professional bond consultants

to aid it in issuing bonds authorized to RCW 28B 50 340 through 28B 50-400.

Sec. 27 Section 28B 50 350, chapter ..., Laws of 1969 (HB 58) and RCW 28B 50 350 are each amended to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

- (1) Shall not constitute
 - (a) an obligation, either general or special, of the state; or
 - (b) a general obligation of the college or of the college board;
- (2) Shall be
 - (a) either registered or in coupon form; and
 - (b) issued in denominations of not less than one hundred dollars; and
 - (c) fully negotiable instruments under the laws of this state; and
 - (d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;
- (3) Shall state
 - (a) the date of issue; and
 - (b) the series of the issue and be consecutively numbered within the series; and
 - (c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement there-

of;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall

be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8) (b) above;

(9) Shall constitute a prior lien and charge against forty percent of all general tuition fees of the community colleges.

Sec. 28. Section 28B.50.360, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.360 are each amended to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter forty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the forty percent of all general tuition

fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for 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, and for the payment of principal of and interest on any bonds issued for such purposes.

NEW SECTION. Sec. 29. There is added to chapter 8, Laws of 1967 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

Notwithstanding any other provision of the 1967 community college act as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate.

NEW SECTION. Sec. 30. There is added to chapter 28B.50 RCW a new section to read as follows:

A community college may issue a high school diploma or certificate, subject to rules and regulations promulgated by the superintendent of public instruction and the state board of education.

NEW SECTION. Sec. 31. Section 28B.50.110 and 28B.50.120, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.110 and 28B.50.120 are each hereby repealed.

Part III. Construction and sections temporary in nature.

NEW SECTION. Sec. 32. The state board for community college

education and the state board of education are hereby authorized and directed to jointly conduct a study regarding a common fee schedule for post-secondary educational services, adopt such provisions as may be mutually agreeable, and report findings and actions taken to the members of the legislature by December 1, 1969.

NEW SECTION. Sec. 33. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of Part I of the instant bill seek to change existing laws. The provisions of Part II seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part I shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part I shall expire and the provisions of Part II shall concomitantly become effective. It is the further intent of the legislature that Part II of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs then any amendatory provisions of Part II of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part II shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part II shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 34. Part II of 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 on the date upon which the 1969 education code becomes effective.

NEW SECTION. Sec. 35. Local law enforcement agencies or such other public agencies that shall be in need of such service may contract with any community college for laboratory services for the analyzing of samples that chemists associated with such community colleges may be able to perform under such terms and conditions as the

individual community college may determine.

NEW SECTION. Sec. 36. Section 35 of this 1969 amendatory act shall be added to Title 28 RCW unless or until such time as the proposed education code of 1969 (HB 58) shall become effective, at which time it shall become a part of Title 28B thereof.

NEW SECTION. Sec. 37. If any provision of this 1969 amendatory 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 9, 1969

Passed the Senate April 11, 1969

Approved by the Governor May 23, 1969, with the exception of certain items in Sections 5, 7, 20 and 22 which are vetoed.
Filed in office of Secretary of State May 23, 1969

NOTE: Governor's explanation of partial veto is as follows:
"...This bill contains various amendments and additions to the Community College Act passed by the 1967 legislature.

Section 5 of the bill amends RCW 28.85.060 which describes the powers and duties of the director of the state system of community colleges. By the provisions of Section 5 the director with the approval of the college board is authorized to employ necessary assistant directors of major staff divisions and their confidential secretaries who will serve at his pleasure. While it is appropriate that the assistant directors of major staff divisions should be exempt from the state civil service law, the exemption of confidential secretaries for these assistant directors is in conflict with the objectives of the civil service law. I have accordingly vetoed the item in Section 5 which would exempt confidential secretaries from the provisions of the civil service law.

Section 7 of the bill amends RCW 28.85.100 which describes the procedure for the appointment of members of the board of trustees for each community college district. Under the 1967 Act nominating committees composed of legislators residing within the boundaries of the community college districts nominated trustee candidates for consideration for appointment by the Governor. While this procedure may have been appropriate in 1967 when the community college system was created it is objectionable on a continuing basis.

There is a substantial disparity among the various districts as to the number of legislators who will participate in the nominating

process. As a result, this mechanism provides no assurance that the nominations will represent a cross section of the community college districts. Rather, it may tend on a long-range basis to inject partisanship into the selection process. Just as the boards of regents and boards of trustees of the state universities and colleges are appointed directly by the Governor, so also should the trustees of the community colleges. Finally, to the extent that a governor is actually limited in selecting trustees to those nominees submitted by legislative nominating committees, such a procedure does not conform with Article 13 of the State Constitution which requires that educational trustees of state institutions shall be appointed by the Governor with the advice and consent of the Senate. I have therefore vetoed the item in Section 7 which would continue the legislative nominating committees.

Because the bill contains correlative provisions of the 1969 education code, I have also vetoed the equivalent provisions in those sections."

CHAPTER 262
[Reengrossed Substitute House Bill No. 582]
REVENUE AND TAXATION--
"NET INCOME TAX ACT"--
PROPERTY TAXES--EXCISES

AN ACT Relating to revenue and taxation; adding new chapters to chapter 15, Laws of 1961 and to Title 82 RCW; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; authorizing the establishment of local taxing districts; empowering local taxing districts and cities and towns and counties to levy a retail sales and use tax; amending section 82.02.020, chapter 15, Laws of 1961 as amended by section 16, chapter 236, Laws of 1967 and RCW 82.02.020; amending section 74.04.150, chapter 26, Laws of 1959 and RCW 74.04.150; amending section 1, chapter 7, Laws of 1963 as last amended by section 4, chapter 149, Laws of 1967 ex. sess., and RCW 82.04.050; amending section 82.04.230, chapter 15, Laws of 1961, as amended by section 7, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961, as last amended by section 8, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of