

appear to limit program expenditures to \$60,000 for the biennium while the enabling legislation permits the service to be provided on a fee basis so that total expenditures should be permitted to exceed \$60,000. For these reasons, I have vetoed the proviso in question.

With the exception of the items described above, the remainder of the bill is approved."

CHAPTER 283
[Engrossed Senate Bill No. 556]
EDUCATION

AN ACT Relating to education; amending section 3, chapter 20, Laws of 1955, as amended by section 32, chapter 176, Laws of 1969 1st ex. sess. and RCW 28.02.070; amending section 3, chapter 258, Laws of 1947, as last amended by section 1, chapter 158, Laws of 1967, and RCW 28.04.060; amending section 28A.02.070, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28A.02.070; amending section 28A.04.060, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28A.04.060; amending section 3, chapter 49, Laws of 1965 ex. sess. and RCW 28.67.076; amending section 28A.58.100, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28A.58.100; amending section 14, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.140; amending section 28B.50.140, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28B.50.140; amending section 17, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.170; amending section 28B.50.170, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28B.50.170; amending section 58, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.580; amending section 28B.50.580, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28B.50.580; amending section 29.21.060, chapter 9, Laws of 1965, as amended by section 2, chapter 103, Laws of 1965 ex. sess. and RCW 29.21.060; amending section 29.21.150, chapter 9, Laws of 1965 as amended by section 89, chapter 176, Laws of 1969 1st ex. sess. and RCW 29.21.150; and amending section 29.21.180, chapter 9, Laws of 1965, as last amended by section 90, chapter 176, Laws of 1969 1st ex. sess. and

RCW 29.21.180; directing the code reviser to add new sections to Title 28 RCW until Titles 28A and 28B shall become effective at which time they shall be added thereto; creating new section; repealing section 55, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.550; repealing section 6, page 308, Laws of 1909, as amended by section 2, chapter 20, Laws of 1955 and RCW 28.02.060; repealing section 28B.50.550, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28B.50.550; repealing section 28A.02.060, chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28A.02.060; repealing section 54, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.540; repealing section 28B.50.540; chapter ..., (HB 58) Laws of 1969 1st ex. sess. and RCW 28A.50.540; providing sections to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW when such titles become effective; making appropriations; and providing effective dates.

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

Part I. General

NEW SECTION. Section 1. Every school district by action of its board of directors shall adopt annual salary schedules and reproduce the same by printing, mimeographing or other reasonable method, which shall be the basis for salaries for all certificated employees in the district.

NEW SECTION. Sec. 2. No certificated employee shall be required to perform duties not described in the contract unless a new or supplemental contract is made, except that in an unexpected emergency the board of directors or school district administration may require the employee to perform other reasonable duties on a temporary basis.

No supplemental contract shall be subject to the continuing contract provisions of Titles 28, 28A or 28B.

NEW SECTION. Sec. 3. The responsibility for further review

of the senior college concept and its adaptability to the state's system of higher education shall be mandated to the Council on Higher Education, and with the cooperation of the Interim Committee on Higher Education, if established by the forty-first session of the Legislature, and report the results of such a study to the forty-second session of the Legislature.

NEW SECTION. Sec. 4. The Interstate Agreement on Qualifications of Educational Personnel is hereby enacted into law and entered into by this state with all other states legally joining therein in the form substantially as follows:

The contracting states solemnly agree that:

Article I

1. The states party to this Agreement, desiring by common action to improve their respective school systems by utilizing the teacher or other professional educational person wherever educated, declare that it is the policy of each of them, on the basis of cooperation with one another, to take advantage of the preparation and experience of such persons wherever gained, thereby serving the best interests of society, of education, and of the teaching profession. It is the purpose of this Agreement to provide for the development and execution of such programs of cooperation as will facilitate the movement of teachers and other professional educational personnel among the states party to it, and to authorize specific interstate educational personnel contracts to achieve that end.

2. The party states find that included in the large movement of population among all sections of the nation are many qualified educational personnel who move for family and other personal reasons but who are hindered in using their professional skill and experience in their new locations. Variations from state to state in requirements for qualifying educational personnel discourage such personnel from taking the steps necessary to qualify in other states. As a consequence, a significant number of professionally prepared and experienced educators is lost to our school systems. Facilitating the

employment of qualified educational personnel, without reference to their states or origin, can increase the available educational resources. Participation in this compact can increase the availability of educational manpower.

Article II

As used in this Agreement and contracts made pursuant to it, unless the context clearly requires otherwise:

1. "Educational personnel" means persons who must meet requirements pursuant to state law as a condition of employment in educational programs.

2. "Designated State official" means the education official of a state selected by that state to negotiate and enter into, on behalf of his state, contracts pursuant to this Agreement.

3. "Accept," or any variant thereof, means to recognize and give effect to one or more determinations of another state relating to the qualifications of educational personnel in lieu of making or requiring a like determination that would otherwise be required by or pursuant to the laws of a receiving state.

4. "State" means a state, territory, or possession of the United States; the District of Columbia; or the Commonwealth of Puerto Rico.

5. "Originating State" means a state (and the subdivision thereof, if any) whose determination that certain educational personnel are qualified to be employed for specific duties in schools is acceptable in accordance with the terms of a contract made pursuant to Article III.

6. "Receiving State" means a state (and the subdivisions thereof) which accept educational personnel in accordance with the terms of a contract made pursuant to Article III.

Article III

1. The designated state official of a party state may make one or more contracts on behalf of his state with one or more other party states providing for the acceptance of educational personnel.

Any such contract for the period of its duration shall be applicable to and binding on the states whose designated state officials enter into it, and the subdivisions of those states, with the same force and effect as if incorporated in this Agreement. A designated state official may enter into a contract pursuant to this Article only with states in which he finds that there are programs of education, certification standards or other acceptable qualifications that assure preparation or qualification of educational personnel on a basis sufficiently comparable, even though not identical to that prevailing in his own state.

2. Any such contract shall provide for:

(a) Its duration.

(b) The criteria to be applied by an originating state in qualifying educational personnel for acceptance by a receiving state.

(c) Such waivers, substitutions, and conditional acceptances as shall aid the practical effectuation of the contract without sacrifice of basic educational standards.

(d) Any other necessary matters.

3. No contract made pursuant to this Agreement shall be for a term longer than five years but any such contract may be renewed for like or lesser periods.

4. Any contract dealing with acceptance of educational personnel on the basis of their having completed an educational program shall specify the earliest date or dates on which originating state approval of the program or programs involved can have occurred. No contract made pursuant to this Agreement shall require acceptance by a receiving state of any persons qualified because of successful completion of a program prior to January 1, 1954.

5. The certification or other acceptance of a person who has been accepted pursuant to the terms of a contract shall not be revoked or otherwise impaired because the contract has expired or been terminated. However, any certificate or other qualifying document may be revoked or suspended on any ground which would be sufficient

for revocation or suspension of a certificate or other qualifying document initially granted or approved in the receiving state.

6. A contract committee composed of the designated state officials of the contracting states or their representatives shall keep the contract under continuous review, study means of improving its administration, and report no less frequently than once a year to the heads of the appropriate education agencies of the contracting states.

Article IV

1. Nothing in this Agreement shall be construed to repeal or otherwise modify any law or regulation of a party state relating to the approval of programs of educational preparation having effect solely on the qualification of educational personnel within that state.

2. To the extent that contracts made pursuant to this Agreement deal with the educational requirements for the proper qualification of educational personnel, acceptance of a program of educational preparation shall be in accordance with such procedures and requirements as may be provided in the applicable contract.

Article V

The party states agree that:

1. They will, so far as practicable, prefer the making of multi-lateral contracts pursuant to Article III of this Agreement.

2. They will facilitate and strengthen cooperation in interstate certification and other elements of educational personnel qualification and for this purpose shall cooperate with agencies, organizations, and associations interested in certification and other elements of educational personnel qualification.

Article VI

The designated state officials of any party state may meet from time to time as a group to evaluate progress under the Agreement, and to formulate recommendations for changes.

Article VII

Nothing in this Agreement shall be construed to prevent or inhibit other arrangements or practices of any party state or states to facilitate the interchange of educational personnel.

Article VIII

1. This Agreement shall become effective when enacted into law by two states. Thereafter it shall become effective as to any state upon its enactment of this Agreement.

2. Any party state may withdraw from this Agreement by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states.

3. No withdrawal shall relieve the withdrawing state of any obligation imposed upon it by a contract to which it is a party. The duration of contracts and the methods and conditions of withdrawal therefrom shall be those specified in their terms.

Article IX

This Agreement shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Agreement shall be severable and if any phrase, clause, sentence, or provision of this Agreement is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Agreement shall be held contrary to the constitution of any state participating therein, the Agreement shall remain in full force and effect as to the state affected as to all severable matters.

NEW SECTION. Sec. 5. The "designated state official" for this state under Article II of section 4 above shall be the superintendent of public instruction, who shall be the compact administrator and who shall have power to promulgate rules to carry out the terms

of this compact. The superintendent of public instruction shall enter into contracts pursuant to Article III of the Agreement only with the approval of the specific text thereof by the state board of education.

NEW SECTION. Sec. 6. True copies of all contracts made on behalf of this state pursuant to the Agreement as provided in section 4 above shall be kept on file in the office of the superintendent of public instruction. The superintendent of public instruction shall publish all such contracts in convenient form.

NEW SECTION. Sec. 7. The board of trustees of each community college district shall adopt for each community college under its jurisdiction written policies on granting leaves to employees of the district and those colleges, including but not limited to leaves for attendance at official or private institutions and conferences, sabbatical leaves for academic personnel, leaves for illness, injury, bereavement and emergencies, with such compensation as the board of trustees may prescribe, except that the board shall grant to all such persons annual leave with full compensation for illness, injury, bereavement and emergencies as follows:

(1) For persons under contract to be employed, or otherwise employed, for at least three quarters, at least fifteen days, commencing with the first day on which work is to be performed;

(2) Such leave entitlement may be accumulated after the first three-quarter period of employment at a minimum rate of five days per quarter for full time employees up to a maximum of one hundred eighty days, and may be taken at any time;

(3) Leave for illness, injury, bereavement and emergencies heretofore accumulated pursuant to law, rule, regulation or policy by persons presently employed by community college districts and community colleges shall be added to such leave accumulated under this section;

(4) Except as otherwise provided in this section or other law, accumulated leave under this section not taken at the time such

person retires or ceases to be employed by community college districts or community colleges shall not be compensable;

(5) Accumulated leave for illness, injury, bereavement and emergencies under this section shall be transferred from one community college district or community college to another, to the state board for community college education, to the state superintendent of public instruction, to any county or intermediate school district, to any school district, or to any other institutions of higher learning of the state; and

(6) Leave accumulated by a person in a community college district or community college prior to leaving that district or college may, under the policy of the board of trustees, be granted to such person when he returns to the employment of that district or college.

NEW SECTION. Sec. 8. The superintendent of public instruction is directed to develop, prepare and make available information as follows:

(1) A budgetary study of the fiscal impact which would result from payment to substitute teachers, who are on a continuing basis of twelve or more days within any calendar month, at a rate of pay commensurate with their training and experience and at a per diem salary in proportion to the salary for which that teacher would be eligible as a full time teacher;

(2) A study showing the percentage of high school graduates who go on to an institution of higher education, including community colleges, the distribution of such students, and the percentage thereof which continue in higher education through the various grades or years thereof; and

(3) A study of the fiscal impact of establishing one hundred and eighty days as the base salary period for all contracts with certificated employees.

NEW SECTION. Sec. 9. The joint interim committee on higher education is directed to make a study of the advisability of having the professional negotiations act apply towards community colleges.

In making this study, the committee shall consult faculty groups, trustees of community colleges, community college presidents, and the state board for community college education.

The joint interim committee shall prepare a report on the results of such study including recommended legislation for distribution to the members of the forty-second legislature prior to January 1, 1971.

NEW SECTION. Sec. 10. The legislative budget committee, in conjunction with the joint interim committee on higher education and the joint committee on education is directed to undertake a joint study into the entire field of vocational education within the state of Washington, including its programs, aims, administration, conformity to state and federal laws, and its effectiveness within the state.

In the performance of its duties, the legislative budget committee is authorized to use the services of recognized leaders in the field of labor and management and to pay the necessary traveling expenses of such persons, in accordance with the provisions of chapter 43.04 RCW, while they are engaged in the business of the study.

For the purpose of paying the expenses authorized above, there is hereby appropriated to the legislative budget committee for the biennium ending June 1, 1971 the sum of two thousand dollars or so much thereof as may be necessary to pay the traveling expense of such member.

A preliminary report of such study shall be prepared for the members of the legislature prior to January 1, 1970. A final report of such study, including any recommended legislation, shall be prepared for distribution to the members of the legislature prior to January 1, 1971.

NEW SECTION. Sec. 11. The board of directors of any school district shall have authority to authorize the expenditure of funds for the purpose of preparing and distributing information to the general public to explain the instructional program, operation and maintenance of the schools of the district: PROVIDED, That nothing

contained herein shall be construed to authorize preparation and distribution of information to the general public for the purpose of influencing the outcome of a school district election.

NEW SECTION. Sec. 12. The code reviser is directed to add the provisions of section 13 to Title 28 RCW until Title 28A and 28B RCW become effective, at which time he shall add it thereto.

NEW SECTION. Sec. 13. The following are school holidays, and school shall not be taught on these days: Saturday; Sunday; the first day of January, commonly called New Year's Day; the third Monday in February, being the anniversary of the birth of George Washington; the last Monday in May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the fourth Monday in October, to be known as Veterans' Day; the fourth Thursday in November, commonly known as Thanksgiving Day; the day immediately following Thanksgiving Day; the twenty-fifth day of December, commonly called Christmas Day: PROVIDED, That no reduction from the teacher's time or salary shall be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught.

The provisions of this section shall take effect on January 1, 1971.

Part II. Sections Affecting Current Law.

NEW SECTION. Sec. 14. Section 6, page 308, Laws of 1909 as amended by section 2, chapter 20, Laws of 1955 and RCW 28.02.060 are each hereby repealed.

The provision of this section shall take effect on January 1, 1971.

Sec. 15. Section 3, chapter 20, Laws of 1955 as amended by section 32, chapter 176, Laws of 1969 1st ex. sess. and RCW 28.02-.070 are each amended to read as follows:

On the Friday preceding (~~November-11th-when-November-11th falls-on-a-nonsense-day~~) the fourth Monday in October, each

teacher, or the principal in charge of the school building, in all elementary and high schools of the state shall prepare and present a program suitable to observance of Veterans' (~~and-Admission~~) Day.

The program should include such matters as setting forth the part taken by the United States and the state of Washington in the world war for the years nineteen hundred seventeen and nineteen hundred and eighteen, the principles for which the allied nations fought, and the heroic deeds of American soldiers and sailors, the leading events in the history of our state and of Washington Territory, the character and struggles of the pioneer settlers and other topics tending to instill a loyalty and devotion to the institutions and laws of our state.

It shall be the duty of the superintendent of public instruction and of each intermediate school district superintendent, by advice and suggestion, to aid in the suitable observance of Veterans' (~~and-Admission~~) Day.

The provision of the 1969 amendment to this section shall take effect on January 1, 1971.

Sec. 16. Section 3, chapter 258, Laws of 1947 as last amended by section 1, chapter 158, Laws of 1967 and RCW 28.04.060 are each amended to read as follows:

Each member of the state board of education shall be elected by a majority of the electoral points accruing from all the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the superintendent of public instruction and no votes shall be accepted for counting if postmarked after the sixteenth day of October following the call of the election. The superintendent of public instruction and an election board comprised of three persons appointed by the state board of education shall count and tally the votes and the electoral points accruing therefrom not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as many electoral points as there are enrolled students in

that director's school district (~~(on-the-last-day-for-filing-declara-tions-of-candidatey-under-RCW-28.04.040)~~) as determined by the enrollment reports forwarded to the state superintendent of public instruction for apportionment purposes for the month of September of the year of election: PROVIDED, That school directors from a school district which has more than five directors shall have their electoral points based upon enrollment recomputed by multiplying such number by a fraction, the denominator of which shall be the number of directors in such district, and the numerator of which shall be five; the electoral points shall then be tallied for each candidate as the votes are counted; and it shall be the majority of electoral points which determines the winning candidate. If no candidate receives a majority of the possible electoral points, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. Within ten days following the count of votes in an election at which a member of the state board of education is elected, the superintendent of public instruction shall certify to the secretary of state the name or names of the persons elected to be members of the state board of education.

NEW SECTION. Sec. 17. Section 55, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.550 are each hereby repealed.

Sec. 18. Section 3, chapter 49, Laws of 1965 ex. sess. and RCW 28.67.076 are each amended to read as follows:

When any faculty member, instructor, teacher, or other certificated employee or instructor leaves one public school (~~(r-community~~

college)) or school district within the state and commences employment with another public school ((~~community-college~~)) or school district within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the public school ((~~community-college~~)) or school district to which the person transfers has a different system for computing seniority, leave benefits and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

NEW SECTION. Sec. 19. Section 54, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.540 are each hereby repealed.

Sec. 20. Section 17, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.170 are each amended to read as follows:

The coordinating council for occupational education shall consist of nine voting members ((~~who shall be chosen by July 17, 1967~~)). Three of the members shall be selected by the state board of education from its membership; and they shall serve at the pleasure of the state board of education. Three members shall be selected by the community college state board from its membership; and they shall serve at the pleasure of the state board for community college education. Three members shall be appointed by the governor, one of whom shall represent the field of labor, and one of whom shall represent the field of management, both of whom shall have had recent actual experience in or association with the fields of management and labor within the state to assure their familiarity with the vocational education needs of management and labor within the state. The governor's appointees shall serve at his pleasure. No member appointed by the governor shall, during the time he serves on the council, be a member of any other education board, state or local. The superintendent of public instruction and the director of the state system of community colleges or their designees shall serve as nonvoting members of the council.

The coordinating council shall review each program and program expenditure of the director of the division of vocational education prior to commitment of same.

No voting member of the council 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 council, and mileage at the rate of ten cents per mile.

Sec. 21. Section 58, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.580 are each amended to read as follows:

~~((Whenever the provisions of))~~ The professional negotiations law, chapter 28.72 RCW, as now or hereafter amended, applies to the faculty and staff of ~~((the said))~~ community colleges and vocational-technical institutes, ~~((it shall continue to apply after April 3, 1967,))~~ but negotiations and appeals shall be conducted with the respective board and the director of the state board for community college education.

~~((The state board for community colleges shall prepare a study for presentation to the members of the forty-first legislature with respect to the applicability of such law to the state system of community colleges.))~~

Sec. 22. 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 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, issue and sell revenue bonds 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,

conduct at the various community college facilities, 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 perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Part III. Sections Affecting the 1969 Education Code

NEW SECTION. Sec. 23. Section 28A.02.060, chapter... (HB58), Laws of 1969 ex. sess. and RCW 28A.02.060 are each hereby repealed. The provision of this section shall take effect on January 1, 1971.

Sec. 24. Section 28A.02.070, chapter... (HB58) Laws of 1969 ex. sess. and RCW 28A.02.070 are each amended to read as follows:

On the Friday preceding (~~(November-11th-of-each-year-of-the preceeding-Friday-when-November-11th-falls-on-a-Friday)~~) the fourth Monday in October of each year, there shall be presented in each common school as defined in RCW 28A.01.060 a program suitable to the observance of Veterans' (~~(and-Admission)~~) Day.

The responsibility for the preparation and presentation of such program approximating sixty minutes in length shall be with the principal or head teacher of each school building and such program shall embrace topics tending to instill a loyalty and devotion to the institutions and laws of this state and nation.

The superintendent of public instruction and county and intermediate school officials shall by advice and suggestion aid in the preparation of such programs if such aid be solicited.

The provision of the 1969 amendment to this section shall

not take effect until January 1, 1971.

Sec. 25. Section 28A.04.060, chapter... (HB 58) Laws of 1969 ex sess. and RCW 28A.04.060 are each amended to read as follows:

Each member of the state board of education shall be elected by a majority of the electoral points accruing from all the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the superintendent of public instruction and no votes shall be accepted for counting if postmarked after the sixteenth day of October following the call of the election. The superintendent of public instruction and an election board comprised of three persons appointed by the state board of education shall count and tally the votes and the electoral points accruing therefrom not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as many electoral points as there are enrolled students in that director's school district (~~on-the-last-day-for-filing declarations-of-candidacy-under-RCW-28A-04-040~~) as determined by the enrollment reports forwarded to the state superintendent of public instruction for apportionment purposes for the month of September of the year of election: PROVIDED, That school directors from a school district which has more than five directors shall have their electoral points based upon enrollment recomputed by multiplying such number by a fraction, the denominator of which shall be the number of directors in such district, and the numerator of which shall be five; the electoral points shall then be tallied for each candidate as the votes are counted; and it shall be the majority of electoral points which determines the winning candidate. If no candidate receives a majority of the possible electoral points, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall

be received for counting if postmarked after the sixteenth day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. Within ten days following the count of votes in an election at which a member of the state board of education is elected, the superintendent of public instruction shall certify to the secretary of state the name or names of the persons elected to be members of the state board of education.

NEW SECTION. Sec. 26. Section 28B.50.550, chapter ... (HB 58) Laws of 1969 ex. sess. and RCW 28B.50.550 are each hereby repealed.

Sec. 27. Section 28A.58.100, chapter ..., (HB 58) Laws of 1969 ex. sess. and RCW 28A.58.100 are each amended to read as follows:

Every board of directors, unless otherwise specially provided by law, shall:

(1) Employ for not more than one year, and for sufficient cause discharge all certificated and noncertificated employees, and fix, alter, allow and order paid their salaries and compensation;

(2) Adopt written policies granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or private institutes and conferences and sabbatical leaves for employees in positions requiring certification qualification, and leaves for illness, injury, bereavement and emergencies for both certificated and noncertificated employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness and injury as follows:

(a) For such persons under contract with the school district for a full year, at least ten days;

(b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the

total number of days contracted for bears to one hundred eighty days;

(c) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;

(d) Leave provided in this proviso not taken shall accumulate from year to year up to a maximum of one hundred eighty days, and such accumulated time may be taken at any time during the school year;

(e) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso.

(f) Accumulated leave under this provisornt taken at the time such person retires or ceases to be employed in the public schools shall not be compensable;

(g) Accumulated leave under this proviso shall be transferred to and from one district to another, the office of superintendent of public instruction and offices of county and intermediate district superintendents and boards of education, to and from such districts and such offices;

(h) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

When any teacher or other certificated employee leaves one ((community-college-district-or)) school district within the state and commences employment with another school district ((or-community college-district)) within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the school district ((or-community-college-district))

to which the person transfers has a different system for computing seniority, leave benefits and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

Sec. 28 . Section 28B.50.170, chapter ..., Laws of 1969 ex. sess. (HB 58) and RCW 28B.50.170 are each amended to read as follows:

The coordinating council for occupational education shall consist of nine voting members (~~(7-who-shall-be-chosen-by-July-17-1967)~~). Three of the members shall be selected by the state board of education from its membership; and they shall serve at the pleasure of the state board of education. Three members shall be selected by the community college state board from its membership; and they shall serve at the pleasure of the state board for community college education. Three members shall be appointed by the governor, one of whom shall represent the field of labor, and one of whom shall represent the field of management, both of whom shall have had recent actual experience in or association with the fields of management and labor within the state to assure their familiarity with the vocational education needs of management and labor within the state. The governor's appointees shall serve at his pleasure. No member appointed by the governor shall, during the time he serves on the council, be a member of any other education board, state or local. The superintendent of public instruction and the director of the state system of community colleges or their designees shall serve as nonvoting members of the council.

The coordinating council shall review each program and program expenditure of the director of the division of vocational education prior to commitment of same.

No voting member of the council 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 council, and mileage at the rate of ten cents per mile.

Sec. 29. Section 28B.50.580, chapter ... (HB 58) Laws of 1969 ex.sess. and RCW 28B.50.580 are each amended to read as follows:

~~((Whenever the provisions of))~~ The professional negotiations law, chapter 28A.72 RCW, as now or hereafter amended, applies to the faculty and staff of ~~((the said))~~ community colleges and vocational-technical institutes, ~~((it shall continue to apply after April 3, 1967))~~ but negotiations and appeals shall be conducted with the respective board and the director of the state board for community college education.

~~((The state board for community colleges shall prepare a study for presentation to the members of the forty-first legislature with respect to the applicability of such law to the state system of community colleges))~~

Sec. 30. Section 28B.50.140, chapter ... (HB 58) Laws of 1969 ex.sess. 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 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 dor-

mitories, 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, issue and sell revenue bonds 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 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, conduct at the various community college facilities 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 perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION. Sec. 31. Section 28B.50.540, chapter ..., (HB 58) Laws of 1969 ex. sess. and RCW 28B.50.540 are each hereby repealed.

Part IV. New Sections.

NEW SECTION. Sec. 32. It shall be the purpose of sections 32 through 45 of this 1969 amendatory act to establish a system of faculty tenure which protects the concepts of faculty employment rights and faculty involvement in the protection of those rights in the state system of community colleges. Sections 32 through 45 of this 1969 amendatory act shall define a reasonable and orderly process for appointment of faculty members to tenure status and the dismissal of the tenured faculty member.

NEW SECTION. Sec. 33. As used in sections 32 through 45 of this 1969 amendatory act:

(1) "Tenure" shall mean a faculty appointment for an indefinite period of time which may be revoked only for adequate cause and by due process;

(2) "Faculty appointment" shall mean full time employment as a teacher, counselor, librarian or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, except administrative appointments;

(3) "Probationary faculty appointment" shall mean a faculty appointment for a designated period of time which may be terminated without cause upon expiration of the probationer's terms of employment;

(4) "Probationer" shall mean any individual holding a proba-

tionary faculty appointment;

(5) "Administrative appointment" shall mean employment in a specific administrative position as determined by the appointing authority;

(6) "Appointing authority" shall mean the board of trustees of a community college district;

(7) "Review committee" shall mean a committee composed of the probationer's faculty peers and the administrative staff of the community college providing that the majority of the committee shall consist of the probationer's faculty peers.

NEW SECTION. Sec. 34. The appointing authority shall promulgate rules and regulations implementing sections 32 through 45 of this 1969 amendatory act and shall provide for the award of faculty tenure following a probationary period not to exceed three consecutive regular college years, excluding summer quarter: PROVIDED, That tenure may be awarded at any time as may be determined by the appointing authority after it has given reasonable consideration to the recommendations of the review committee.

NEW SECTION. Sec. 35. The appointing authority shall provide each faculty member, immediately upon employment, with a written agreement which delineates the terms of employment including all conditions and responsibilities attached thereto.

NEW SECTION. Sec. 36. The probationary faculty appointment period shall be one of continuing evaluation of a probationer by a review committee. The evaluation process shall place primary importance upon the probationer's effectiveness in his appointment. The review committee shall periodically advise each probationer, in writing, of his progress during the probationary period and receive the probationer's written acknowledgment thereof. The review committee shall at appropriate times make recommendations to the appointing authority as to whether tenure should or should not be granted to individual probationers: PROVIDED, That the final decision to award or withhold tenure shall rest with the appointing authority, after it

has given reasonable consideration to the recommendations of the review committee.

NEW SECTION. Sec. 37. Upon the decision not to renew a probationary faculty appointment, the appointing authority shall notify the probationer of such decision as soon as possible during the regular college year: PROVIDED, That such notice may not be given subsequent to the last day of the winter quarter.

NEW SECTION. Sec. 38. A tenured faculty member, upon appointment to an administrative appointment, except that of president, shall be allowed to retain his tenure.

NEW SECTION. Sec. 39. The tenured faculty member shall not be dismissed except for sufficient cause, nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for sufficient cause.

NEW SECTION. Sec. 40. Sufficient cause shall also include aiding and abetting or participating in: (1) Any unlawful act of violence; (2) Any unlawful act resulting in destruction of community college property; or (3) Any unlawful interference with the orderly conduct of the educational process.

NEW SECTION. Sec. 41. Prior to the dismissal of a tenured faculty member, or a faculty member holding an unexpired probationary faculty appointment, the case shall first be reviewed by a review committee. The review shall include testimony from all interested parties including, but not limited to, other faculty members and students. The faculty member whose case is being reviewed shall be afforded the right of cross-examination and the opportunity to defend himself. The review committee shall prepare recommendations on the action they propose be taken and submit such recommendations to the appointing authority prior to their final action.

NEW SECTION. Sec. 42. Any faculty member dismissed pursuant to sections 32 through 45 of this 1969 amendatory act shall have a right to appeal the final decision of the appointing authority within ten days thereof in accordance with RCW 34.04.090 through RCW 34.04-

.140 as now or hereafter amended. For the purposes of chapter 34.04 RCW any appeal pursuant to this provision shall be considered a contested case as defined in RCW 34.04.010(3).

NEW SECTION. Sec. 43. Upon transfer of employment from one community college to another community college within a district, a tenured faculty member shall have the right to retain tenure and the rights accruing thereto which he had in his previous employment: PROVIDED, That upon permanent transfer of employment to another community college district a tenured faculty member shall not have the right to retain his tenure or any of the rights accruing thereto.

NEW SECTION. Sec. 44. Faculty members currently employed in the state system of community colleges who come under the provisions of RCW 28.67.070 (or RCW 28A.67.070) and of sections 32 through 45 of this 1969 amendatory act shall be granted tenure by their appointing authority notwithstanding any other provision of this 1969 amendatory act.

NEW SECTION. Sec. 45. The review committees required by sections 32 through 45 of this 1969 amendatory act shall be composed of members of the administrative staff and the teaching faculty. The representatives of the teaching faculty shall represent a majority of the members on each review committee. The members representing the teaching faculty on each review committee shall be selected by a majority of the teaching faculty and faculty department heads acting in a body.

NEW SECTION. Sec. 46. The state board for community college education is authorized and empowered:

(1) To assist the faculties of the community colleges and such other employees as the state board for community college education may designate in the purchase of old age annuities and retirement income plans under such rules and regulations as the state board shall promulgate and adopt.

(2) To provide under such rules and regulations for the retirement of any such faculty member or employee on account of age or

health.

NEW SECTION. Sec. 47. Subject to the provision of section 50 of this 1969 amendatory act, members of the faculties and such other employees as are designated by the state board for community college education in the plan shall be required to contribute in addition to federal social security tax contributions not less than five percent of their salaries during each year of full time service toward the purchase of such annuity or retirement income plan.

NEW SECTION. Sec. 48. In no case shall the state board for community college education pay in any one year towards the purchase of such annuity or retirement income plan any amount exceeding five percent of such person's salary: PROVIDED, Such contributions shall be in addition to federal social security tax contributions.

NEW SECTION. Sec. 49. Faculty members or other employees designated by the state board for community college education pursuant to this act shall be retired from teaching or employment in the community college system no later than the end of the academic year next following their seventieth birthday.

NEW SECTION. Sec. 50. A faculty member or employee designated by the state board for community college education as being eligible to participate in such annuity or retirement income plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system or the Washington public employees' retirement system may choose to either: (1) Continue as an active, contributing member in either the Washington state teachers' retirement system or the Washington public employees' retirement system, or (2) at his election within one year of the date he first becomes eligible for membership in any retirement plan adopted by the state board for community college education as provided for in sec-

v - tion 33 of this 1969 amendatory act, choose to: (a) continue as an inactive, noncontributing member in either the Washington state teachers' retirement system or the Washington public employees' retirement system and participate in the retirement or annuity plan

adopted pursuant to this act, or (b) terminate his membership in the Washington state teachers' retirement system or the Washington public employees' retirement system and participate in the retirement or annuity plan adopted pursuant to this act. A faculty member or employee who chooses to terminate membership in the Washington state teachers' retirement system or the Washington public employees' retirement system may withdraw his accumulated contributions and interest in the teachers' retirement fund or the public employees' retirement fund upon written application to the board of trustees of the appropriate retirement system. Faculty members or employees who withdraw their accumulated contributions on and after the date of withdrawal of contributions, shall no longer be members of the Washington state teachers' retirement system or the Washington public employees' retirement system and shall forfeit all rights of membership, including pension benefits, theretofore acquired under the Washington state teachers' retirement system or the Washington public employees' retirement system: PROVIDED, That such faculty member or employee who, upon attainment of eligibility for retirement under the Washington state teachers' retirement system or the Washington public employees' retirement system is still engaged in public educational employment, shall not be eligible to receive benefits under such retirement system until he ceases such public educational employment. Any retired faculty member or employee who enters service in any public educational institution shall cease to receive pension payments while engaged in such service: PROVIDED, That service may be rendered up to seventy-five days in a school year without reduction of pension.

NEW SECTION. Sec. 51. The boards of trustees of the various community college districts are hereby directed to create no later than January 1, 1970 at each community college or vocational-technical institute under their control, a faculty senate or similar organization to be selected by periodic vote of the respective faculties thereof.

NEW SECTION. Sec. 52. (1) There is hereby created a state advisory council on vocational education, hereinafter referred to as the "advisory council", consisting of not less than thirteen members appointed by the governor, without regard to the civil service laws, for terms of three years, except that in the case of the initial members, at least four shall be appointed for terms of one year each and at least four shall be appointed for terms of two years each, and appointments to fill vacancies shall be only for such terms as remain unexpired. The advisory council shall include persons who are:

(a) Familiar with the vocational needs and the problems of management and labor in the state, and a person or persons representing state industrial and economic development agencies;

(b) Representative of community colleges and other institutions of higher learning, area vocational schools, technical institutes, and postsecondary or adult education agencies or institutions, which may provide programs of vocational or technical education and training;

(c) Familiar with the administration of state and local vocational education programs, and a person or persons having special knowledge, experience, or qualifications with respect to vocational education and who are not involved in the administration of state or local vocational education programs;

(d) Familiar with programs of technical and vocational education, including programs in comprehensive secondary schools;

(e) Representative of local educational agencies, and a person or persons who are representative of school boards;

(f) Representative of manpower and vocational education agencies in the state, including a person or persons from the comprehensive area manpower planning system of the state;

(g) Representing school systems with large concentrations of academically, socially, economically, and culturally disadvantaged students;

(h) Possessed of special knowledge, experience, or qualifica-

tions, with respect to the special educational needs of physically or mentally handicapped persons; and

(i) Representative of the general public, including a person or persons representative of and knowledgeable about the poor and disadvantaged, who are not qualified for membership under any of the preceding clauses of this paragraph.

The advisory council shall meet at the call of the chairman, who shall be selected by vote of the members, but not less than four times a year.

(2) Members of the advisory council shall receive no compensation for their services thereon, but shall be reimbursed twenty-five dollars per diem for each day or portion thereof spent in serving as a member of the advisory council and shall be paid their necessary traveling expenses while engaged in the business of the advisory council as prescribed in chapter 43.03 RCW.

NEW SECTION. Sec. 53. The advisory council shall:

(1) Advise the coordinating council on the development of and policy matters arising in the administration of the state plan for federally funded vocational education pursuant to RCW 28.85.230 (or RCW 28B.50.230), including the preparation of long range and annual program plans therefor;

(2) Evaluate such vocational education programs, services, and activities assisted under this title, and publish and distribute the results thereof;

(3) Prepare and submit through the coordinating council to the federal commissioner of education and to the national advisory council on vocational education an annual evaluation report, accompanied by such additional comments of the coordinating council as the coordinating council deems appropriate, which (a) evaluates the effectiveness of federally funded vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long range program plan

and the annual program plan, and (b) recommends such changes in such programs, services, and activities as may be warranted by the evaluations; and

(4) Obtain the services of such professional, technical, and clerical personnel as may be deemed necessary to enable it to carry out its functions under this 1969 amendatory act and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

Part. V. Construction.

NEW SECTION. Sec. 54. The forty-first legislature has passed a bill proposing a complete revision of the education laws of this state. The provisions of Part II of the instant bill seek to change existing laws. The provisions of Part III seek to change correlative provisions of the 1969 education code when such code becomes law. It is the intent of the legislature that the provisions of Part II shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part II shall expire and the provisions of Part III shall concomitantly become effective. It is the further intent of the legislature that Part III of the instant bill shall not take effect unless the 1969 education code takes effect, but when such event occurs then any amendatory provisions of Part III 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. 55. The code reviser is directed to add the provision of Part IV of this 1969 amendatory act to Title 28 until such time as Titles 28A and 28B shall take effect, at which time it shall be added thereto.

Sec. 56. Section 29.21.060, chapter 9, Laws of 1965, as amended by section 2, chapter 103, Laws of 1965 ex. sess., and RCW

29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities shall file declarations of candidacy with the clerk thereof not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices in port districts, (~~and school-districts-embracing-a-city-of-over-one-hundred-thousand population,-both-of~~) which are located in class AA and class A counties, and first class school districts, shall file their declarations of candidacy with the county auditor of the county not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular district elections are held.

All candidates for district offices not subject to a primary election, other than irrigation districts, shall file declarations of candidacy not more than sixty nor less than forty-six days prior to the date of the election with the appropriate county auditor: PROVIDED, That in the case of public utility districts, and in no other, nominations shall be made by means of nominating petitions: PROVIDED FURTHER, That this chapter shall not change the method of nomination for first district officers at the formation of the district.

Any candidate for city or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

The city clerks in all counties shall transmit to their county auditors at least thirty-five days before the date fixed for the primary, a certified list of the names and addresses of the candidates to be voted on thereat as represented by the declarations of candidacy filed in their offices.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030, 29.18.035, and 29.18.060: PROVIDED, That no filing fee shall be charged in the event that the office sought is without

salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections.

Sec. 57. Section 29.21.150, chapter 9, Laws of 1965 and as amended by section 89, chapter 176, Laws of 1969 1st ex. sess. RCW 29.21.150 are each amended to read as follows:

The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor: PROVIDED, That in elections for judges of the supreme court and judges of the superior court, for justices of the peace, and for state superintendent of public instruction, and for directors of first class school districts, if any candidate in the primary receives a majority of all the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter.

Sec. 58. Section 29.21.180, chapter 9, Laws of 1965 as last amended by section 90, chapter 176, Laws of 1969 1st ex. sess. and RCW 29.21.180 are each amended to read as follows:

No primary shall be held relating to the office ((s)) of state superintendent of public instruction or, except for school districts of the first class having an enrollment of seventy thousand pupils or more in class AA counties, officers of other first class school districts (~~(embracing-a-city-of-over-one-hundred-thousand-population)~~) if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the general

election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

NEW SECTION. Sec. 59. 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 Senate May 12, 1969
Passed the House May 12, 1969
Approved by the Governor May 23, 1969, with the exception of a certain item in Section 50 which is vetoed
Filed in office of Secretary of State May 23, 1969

NOTE: Governor's explanation of partial veto is as follows:
"...This bill is an omnibus education bill. Section 46 through 50 contain provisions which authorize old age annuities and retirement income plans for community college employees. In Section 50 an erroneous internal reference is made to another section of the act. To cure this technical error I have vetoed the cross referenced provision in Section 50.

With the exception of that one item, the remainder of this bill is approved."

CHAPTER 284
[House Bill No. 310]
WATER AND WATER RESOURCES

AN ACT Relating to water and water resources; authorizing the making of grants to municipal and public corporations and political subdivisions for construction of water pollution control projects; authorizing the establishment of minimum flows and levels on public waters; authorizing the issuance of certain regulatory orders relating to water and water resources and prescribing the methods of review therefrom; directing the registration and regulation of certain water rights claims; adding a new section to chapter 90.48 RCW; adding new sections to chapter 242, Laws of 1967 and chapter 43.27A RCW; adding new sections to chapter 233, Laws of 1967 and chapter 90.14 RCW; adding a new chapter to Title 90 RCW; amending section 28, chapter 13, Laws of 1967 and RCW 90.48.290; repealing section 1, chapter 81, Laws of 1967 and RCW 43.21.145; repealing sections 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, chapter 233, Laws of 1967 and RCW 90.14.030, 90.14.040, 90.14.050, 90.14.060,