

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. 4. Part II of this 1969 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on the date upon which the 1969 education code becomes effective.

Passed the Senate March 18, 1969  
Passed the House March 19, 1969  
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CHAPTER 3  
[House Bill No. 554]  
SCHOOLS--STATE SUPPORT--  
REGULATIONS--FULL SCHOOL YEAR

AN ACT Relating to education; authorizing the superintendent of public instruction to lessen the required school year of one hundred eighty days; amending section 6, chapter 154, Laws of 1965 ex. sess. and RCW 28.41.170; amending section 28A.41.170, chapter ..., Laws of 1969 (HB 58) and RCW 28A.41.170; providing sections to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Title 28A RCW if such titles shall be enacted; and declaring an emergency.

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

**Part I. Sections affecting current law.**

Section 1. Section 6, chapter 154, Laws of 1965 ex. sess. and RCW 28.41.170 are each amended to read as follows:

The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the

proper administration of this act not inconsistent with the provisions of this act, and in addition to require such reports as may be necessary to carry out his duties under this act: PROVIDED, That the superintendent of public instruction shall have the authority to make rules and regulations allowing school districts for the 1968-1969 school year to receive state apportionment moneys as provided in RCW 28.41.130 when said districts are unable to fulfill the requirements of a full school year of one hundred eighty days due to an unforeseen emergency.

Part II. Sections affecting proposed 1969 education code.

Sec. 2. Section 28A.41.170, chapter ..., Laws of 1969 (HB 58) and RCW 28A.41.170 are each amended to read as follows:

The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the proper administration of this chapter not inconsistent with the provisions thereof, and in addition to require such reports as may be necessary to carry out his duties under this chapter: PROVIDED, That the superintendent of public instruction shall have the authority to make rules and regulations allowing school districts for the 1968-1969 school year to receive state apportionment moneys as provided in RCW 28A.41.130 when said districts are unable to fulfill the requirements of a full school year of one hundred eighty days due to an unforeseen emergency.

Part III. Construction.

NEW SECTION. Sec. 3. 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. 4. This 1969 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 26, 1969  
Passed the Senate March 26, 1969  
Approved by the Governor March 27, 1969  
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CHAPTER 4  
[House Bill No. 888]  
CUSTODY OF PRISONERS

AN ACT Relating to the custody of prisoners; reenacting section 2, chapter 42, Laws of 1955 as amended by section 1, chapter 103, Laws of 1969 (HB 124) and RCW 9.95.062; reenacting section 2, chapter 103, Laws of 1969 (HB 124) (uncodified); and declaring an emergency.

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

Section 1. Section 2, chapter 42, Laws of 1955 as amended by section 1, chapter 103, Laws of 1969 (HB 124) and RCW 9.95.062 are each reenacted to read as follows:

An appeal by a defendant in a criminal action shall stay the execution of the judgment of conviction.

In case the defendant has been convicted of a felony, and has been unable to furnish a bail bond pending the appeal, the time he has been imprisoned pending the appeal shall be deducted from the term for which he was theretofore sentenced to the penitentiary, if