

If a student under the age of twenty-one years is allowed to enroll in any common school outside the school district within which the student resides or a school district of which the student is considered to be a resident for attendance purposes by operation of law, the student's attendance shall be credited to the nonresident school district of enrollment for state apportionment and all other purposes.

NEW SECTION. Sec. 3. The following acts or parts thereof are hereby repealed:

- (1) Section 28A.48.040, chapter 223, Laws of 1969 ex. sess., section 8, chapter 130, Laws of 1969 and RCW 28A.48.040; and
- (2) Section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.050.

NEW SECTION. Sec. 4. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the House March 28, 1975.
 Passed the Senate May 14, 1975.
 Approved by the Governor May 22, 1975.
 Filed in Office of Secretary of State May 22, 1975.

CHAPTER 67

[Substitute House Bill No. 389]

UNEMPLOYMENT COMPENSATION EXEMPTION—
NONGOVERNMENTAL PRESCHOOL EMPLOYEES

AN ACT Relating to unemployment compensation; amending section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 4, Laws of 1975 and RCW 50.44.040; and declaring an emergency.

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

Section 1. Section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 4, Laws of 1975 and RCW 50.44.040 are each amended to read as follows:

The term "employment" as used in RCW 50.44.010, 50.44.020, and 50.44.030 shall not include service performed:

(1) In the employ of (a) a church or convention or association of churches, or (b) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a nongovernmental educational institution, approved or accredited by the state board of education, which is not an "institution of higher education", or in the employ of a nongovernmental preschool. A preschool is an organization devoted exclusively to the area of child development training of preschool-age children through an established curriculum of formal classroom and/or laboratory instruction; or

(4) In a facility conducted for the purpose of carrying out a program of (a) rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or (b) providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(5) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by a federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work-relief or work-training; or

(6) For a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution; or

(7) In the employ of a hospital, if such service is performed by a patient of such hospital; or

(8) In the employ of a school, college, or university, if such service is performed (a) by a student who is enrolled and is regularly attending classes at such school, college, or university, or (b) by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that (i) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (ii) such employment will not be covered by any program of unemployment insurance; or

(9) By an individual under the age of twenty-two who is enrolled at a non-profit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employee, except that this subsection shall not apply to service performed in a program established for or on behalf of an employer or group of employers((-)); or

(10) In the employ of the state or one of its instrumentalities or a political subdivision or one of its instrumentalities by an individual who is (a) occupying an elective office, or (b) who is compensated solely on a fee or per diem basis((-)); or

(11) In the employ of the legislature of the state of Washington by an individual who is compensated pursuant to an agreement which provides for a guaranteed rate of compensation for irregular hours worked.

NEW SECTION. Sec. 2. This 1975 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 27, 1975.

Passed the Senate May 13, 1975.

Approved by the Governor May 22, 1975.

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