

CHAPTER 308

[Engrossed Senate Bill No. 3752]

PUBLIC AND PRIVATE SCHOOLS—JOINT PURCHASING SERVICES

AN ACT Relating to education; amending section 28A.58.107, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1979 ex. sess. and RCW 28A.58-.107; amending section 4, chapter 239, Laws of 1967 as amended by section 1, chapter 81, Laws of 1972 ex. sess. and RCW 39.34.030; and creating a new section.

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

Section 1. Section 28A.58.107, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1979 ex. sess. and RCW 28A.58.107 are each amended to read as follows:

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

- (1) Provide for the expenditure of a reasonable amount for suitable commencement exercises;
- (2) In addition to providing free instruction in lip reading for children handicapped by defective hearing, make arrangements for free instruction in lip reading to adults handicapped by defective hearing whenever in its judgment such instruction appears to be in the best interests of the school district and adults concerned;

(3) Join with boards of directors of other school districts or an educational service district pursuant to RCW 28A.21.086(3), as now or hereafter amended, or both such school districts and educational service district in buying supplies, equipment and services by establishing and maintaining a joint purchasing agency, or otherwise, when deemed for the best interests of the district, any joint agency formed hereunder being herewith authorized and empowered to issue interest bearing warrants in payment of any obligation owed: PROVIDED, HOWEVER, That those agencies issuing interest bearing warrants shall assign accounts receivable in an amount equal to the amount of the outstanding interest bearing warrants to the county treasurer issuing such interest bearing warrants: PROVIDED FURTHER, That the joint purchasing agency ((may)) shall consider the request of any one or more private schools requesting the agency to jointly buy supplies, equipment, and services, and, after considering such request, may cooperate with and jointly make purchases with private schools of supplies, equipment, and services so long as such private schools pay in advance their proportionate share of the costs involved in such purchases; ((and))

(4) Consider the request of any one or more private schools requesting the board to jointly buy supplies, equipment and services, and, after considering such request, may provide such joint purchasing services: PROVIDED, That such private schools pay in advance their proportionate share of the costs involved in such purchases; and

(5) Prepare budgets as provided for in chapter 28A.65 RCW.

Sec. 2. Section 4, chapter 239, Laws of 1967 as amended by section 1, chapter 81, Laws of 1972 ex. sess. and RCW 39.34.030 are each amended to read as follows:

(1) Any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state having the power or powers, privilege or authority, and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges and authority conferred by this chapter upon a public agency.

(2) Any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter: PROVIDED, That any such joint or cooperative action by public agencies which are educational service districts and/or school districts shall comply with the provisions of RCW 28A.58.107, as now or hereafter amended. Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force.

(3) Any such agreement shall specify the following:

(a) Its duration;

(b) The precise organization, composition and nature of any separate legal or administrative entity created thereby together with the powers delegated thereto, provided such entity may be legally created. Such entity may include a nonprofit corporation whose membership is limited solely to the participating public agencies and the funds of any such corporation shall be subject to audit in the manner provided by law for the auditing of public funds;

(c) Its purpose or purposes;

(d) The manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget therefor;

(e) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon such partial or complete termination;

(f) Any other necessary and proper matters.

(4) In the event that the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking, the agreement shall, in addition to items (a), (c), (d), (e) and (f) enumerated in subdivision (3) hereof, contain the following:

(a) Provision for an administrator or a joint board responsible for administering the joint or cooperative undertaking. In the case of a joint board, public agencies party to the agreement shall be represented;

(b) The manner of acquiring, holding and disposing of real and personal property used in the joint or cooperative undertaking. Any joint board is authorized to establish a special fund with a state, county, city, or district treasurer servicing an involved public agency designated "Operating fund of joint board".

(5) No agreement made pursuant to this chapter shall relieve any public agency of any obligation or responsibility imposed upon it by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an agreement made hereunder, said performance may be offered in satisfaction of the obligation or responsibility.

(6) Financing of joint projects by agreement shall be as provided by law.

NEW SECTION. Sec. 3. If any provision of this 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 April 26, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

CHAPTER 309

[House Bill No. 228]

MOTOR VEHICLES—FINANCIAL RESPONSIBILITY

AN ACT Relating to financial responsibility for motor vehicles; amending section 7, chapter 169, Laws of 1963 as amended by section 1, chapter 78, Laws of 1979 and RCW 46.29.070; amending section 14, chapter 169, Laws of 1963 and RCW 46.29.140; amending section 17, chapter 169, Laws of 1963 and RCW 46.29.170; amending section 22, chapter 169, Laws of 1963 and RCW 46.29.220; amending section 23, chapter 169, Laws of 1963 and RCW 46.29.230; adding a new section to chapter 46.29 RCW; making an appropriation; and prescribing penalties.

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

Section 1. Section 7, chapter 169, Laws of 1963 as amended by section 1, chapter 78, Laws of 1979 and RCW 46.29.070 are each amended to read as follows:

(1) The department, not less than twenty days after receipt of a report of an accident as described in the preceding section, shall determine the amount of security which shall be sufficient in its judgment to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each driver or owner. Such determination shall not be made with respect to drivers or owners who are exempt under succeeding sections of this chapter from the requirements as to security and suspension.

(2) The department shall determine the amount of security deposit required of any person upon the basis of the reports or other information