

a restriction on the use or investment of an institutional fund imposed by the applicable gift instrument may be released, entirely or in part, by order of the superior court after reasonable notice to the attorney general and an opportunity for him to be heard, and upon a finding that the restriction on the use or investment of the fund is obsolete, inappropriate or impracticable. A release under this subsection may not change an endowment fund to a fund which is not an endowment fund.

(3) A release under this section may not allow a fund to be used for purposes other than the educational, religious, charitable, or other eleemosynary purposes of the institution affected.

(4) The provisions of this section do not limit the application of the doctrine of cy pres.

NEW SECTION. Sec. 7. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

NEW SECTION. Sec. 8. UNIFORMITY OF APPLICATION AND CONSTRUCTION. This chapter shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among those states which enact it.

NEW SECTION. Sec. 9. SHORT TITLE. This chapter may be cited as the "Uniform Management of Institutional Funds Act".

NEW SECTION. Sec. 10. Section headings as used in this chapter do not constitute any part of the law.

NEW SECTION. Sec. 11. Sections 1 through 11 of this act shall constitute a new chapter in Title 24 RCW.

Passed the Senate February 16, 1973.

Passed the House February 27, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

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CHAPTER 18

[Senate Bill No. 2082]

JUDICIAL COUNCIL--MEMBERSHIP--COUNTY CLERK INCLUSION

AN ACT Relating to the judicial council; and amending section 1, chapter 45, Laws of 1925 ex. sess. as last amended by section 1, chapter 40, Laws of 1971 and RCW 2.52.010.

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

Section 1. Section 1, chapter 45, Laws of 1925 ex. sess. as

last amended by section 1, chapter 40, Laws of 1971 and RCW 2.52.010 are each amended to read as follows:

There is hereby established a judicial council which shall consist of the following:

(1) The chief justice and one other judge of the supreme court, to be selected and appointed by the chief justice of the supreme court;

(2) Two judges of the court of appeals, to be selected and appointed by the three chief judges of the three divisions thereof;

(3) Two judges of the superior court, to be selected and appointed by the superior court judges' association;

(4) Three members of the state senate, no more than two of whom shall be members of the same political party, one of whom will be the chairman of the senate judiciary committee and the other two to be designated by the chairman; three members of the state house of representatives, no more than two of whom shall be members of the same political party, one of whom shall be the chairman of the house judiciary committee and the other two to be designated by the chairman; unless the house judiciary committee is organized into two sections, in which case the chairman of each section shall be a member and they shall designate the third house member;

(5) The dean of each recognized school of law within this state;

(6) Five members of the bar who are practicing law and at least one of whom is a prosecuting attorney, three to be appointed by the chief justice of the supreme court with the advise and consent of the other judges of the court, and two to be appointed by the board of governors of the Washington state bar association from a list of nominees submitted by the legislative committee of the Washington state bar association;

(7) The attorney general; ((and))

(8) Two judges from the courts of limited jurisdiction chosen by the Washington state magistrates' association ;and

(9) A county clerk to be selected and appointed by the Washington state association of county clerks.

Passed the Senate January 24, 1973.

Passed the House February 27, 1973.

Approved by the Governor March 6, 1973.

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