

Whenever any (~~school children or elderly~~) persons are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses in an amount not exceeding one thousand dollars per person per injury for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

Passed the House January 16, 1980.

Passed the Senate February 29, 1980.

Approved by the Governor March 11, 1980.

Filed in Office of Secretary of State March 11, 1980.

CHAPTER 123

[House Bill No. 542]

PUBLIC BROADCASTING—APPROPRIATION

AN ACT Relating to broadcasting by radio or television, including instructional and public broadcasting; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW; repealing section 28A.91.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.010; repealing section 28A.91.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.020; repealing section 28A.91.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.030; repealing section 28A.91.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.040; repealing section 28A.91.050, chapter 223, Laws of 1969 ex. sess., section 70, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.91.050; repealing section 28A.91.060, chapter 223, Laws of 1969 ex. sess., section 19, chapter 75, Laws of 1977 and RCW 28A.91.060; and making an appropriation.

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

***NEW SECTION. Section 1. The legislature finds and declares that it is in the public interest of the state of Washington to promote and encourage the growth, expansion, development and programming diversity of public broadcasting which shall be responsive to the needs and interests of people throughout the state. The legislature believes that it is to the advantage of the state to realize to the fullest possible extent those potential benefits of public broadcasting. It is necessary and appropriate for the state government to complement, assist, and support financially a public broadcasting service for all the people in all of the geographical areas of the state utilizing both open circuit and cable transmission. The broadest possible instructional**

broadcasting service should be provided to citizens through public and private educational institutions within the state.

***Section 1 was vetoed, see message at end of chapter.**

NEW SECTION. Sec. 2. As used in this chapter, the terms defined in this section shall have the following meanings unless the context clearly requires otherwise:

(1) "Broadcast" or "broadcasting" means television or radio transmission.

(2) "Broadcast operational costs" means all expenses incurred by a noncommercial educational broadcast station for the basic operation, maintenance, and administration functions of such station, except that such expenses shall not include costs for program production or acquisition, fund raising activities, or membership services.

(3) "Cable television" means the transmission of programming by community antenna distribution systems.

(4) "Commission" means the Washington State Public Broadcasting Commission created in section 3 of this act.

(5) "Educational broadcasting" means produced, leased or purchased programming designed to informally raise the general awareness of the public.

(6) "Instructional broadcasting" means produced, leased or purchased programming for broadcast to classrooms or elsewhere as instruction within a curriculum.

(7) "Public broadcast station" means a television or radio broadcast station which, under the rules and regulations of the Federal Communications Commission in effect on the effective date of this chapter, is eligible to be licensed by the Federal Communications Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association.

(8) "Public broadcasting" means noncommercial instructional and educational radio and television broadcasting.

NEW SECTION. Sec. 3. (1) There is hereby created a state agency to be known as the Washington State Public Broadcasting Commission.

(2) The commission shall consist of nine members to be appointed by the governor, broadly representative of the people of the state, and approved by the senate: **PROVIDED**, That one member of the commission shall be from the commercial broadcasting sector.

(3) Members shall serve four year terms, except that the initial terms of the first members shall be as follows: Three members for two year terms, three members for three year terms, and three members for four year terms, as so designated by the governor at the time of appointment.

(4) Members of the commission shall not be compensated for their services but shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

(5) The commission shall be housed in the office of the state planning and community affairs agency.

Ex officio members shall not be compensated or reimbursed for travel by the commission.

NEW SECTION. Sec. 4. In addition to other powers and duties as set forth in this chapter, the commission shall:

(1) Cooperate with state agencies owning broadcast sites or electronic equipment and/or other real or personal property for the purpose of sharing in the use and/or cost of any such property in order to facilitate the development of state public broadcasting capabilities.

(2) Prepare, adopt as a commission rule, and amend as necessary, a plan setting forth the goals of public broadcasting in the state which are in support of the philosophy set forth in section 1 of this act.

(3) Consult with the governing boards of public broadcasting licensees in regard to such policies and practices as are necessary to implement planning and maintaining a state system for public broadcasting.

(4) Appoint ex officio members representative of the following: Public television broadcasters, public radio broadcasters, common schools, community colleges, private four year colleges and universities, private elementary/secondary schools, commercial broadcasters, public four year colleges and universities, and such other agencies as determined appropriate by the commission.

(5) Appoint advisory committees.

(6) Allocate funds in accordance with the procedures established by sections 6 and 7 of this act.

(7) Act as the state reviewing agency for public broadcasting in accordance with criteria established by the commission.

(8) Appoint consultants, enter into contracts, and conduct studies as reasonably necessary to carry out the provisions of this chapter.

(9) Coordinate requests for state legislative funding of public broadcasting.

(10) Perform other duties necessary to carry out the provisions of this chapter and to provide a coordination and advocacy agency for state matters relating to public broadcasting.

(11) Carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the public broadcasting licensees from interference with, or control of, program content or other activities.

(12) Promulgate rules to implement this chapter, in accordance with the provisions of chapter 34.04 RCW, as now or hereafter amended:

PROVIDED, That the commission is prohibited from owning or operating any television or radio broadcast station or program production facility and producing programs, scheduling programs for dissemination, or disseminating programs to the public.

NEW SECTION. Sec. 5. The commission may employ an executive secretary and such clerical staff and other personnel as are necessary to carry out the duties prescribed by the commission. The executive secretary shall be exempt from the provisions of chapter 41.06 RCW, shall serve at the pleasure of the commission, and shall receive a salary fixed by the commission.

***NEW SECTION.** Sec. 6. *The commission shall establish a system for fiscal control of state funds appropriated directly to the commission, including procedures for developing the commission budget, provision for audits, and development of criteria for state production grants.*

*Sec. 6. was vetoed, see message at end of chapter.

***NEW SECTION.** Sec. 7. *Funds appropriated by the state to the commission for expenditure of instructional and educational broadcasting operations programming and capital acquisition, and other than funds designated for operation of the commission, shall be disbursed by the commission to entities eligible for federal funding under the Public Telecommunications Financing Act of 1980 according to the following procedures:*

(1) *Funds for instructional television broadcast operating costs shall be disbursed by the commission to the public television licensees.*

(2) *Funds for educational television broadcast operating costs shall be disbursed by the commission to the public television licensees.*

(3) *Funds for program acquisition or production of instructional broadcasting of kindergarten through grade twelve and the public vocational institutes shall be disbursed by the commission to the office of the superintendent of public instruction who shall work with educational representatives.*

(4) *Funds designated for postsecondary instructional broadcasting production or acquisition shall be disbursed by the commission after consultation with an advisory committee representing community colleges, public and private postsecondary institutions, the state council for postsecondary education, and the state public broadcasting stations.*

(5) *Funds designated for production or acquisition of educational television broadcast programming shall be disbursed by the commission after consultation with an advisory committee chosen by the commission representing the fields of the visual and performing arts, business, labor, government, education, and the public broadcasting stations.*

(6) *Funds designated for station equipment acquisition shall be distributed to public broadcasting television licensees in accordance with rules and regulations developed by the commission.*

(7) Funds designated for an interconnection system shall be disbursed by the commission after consultation with an advisory committee of public broadcasting stations.

(8) Funds for public radio shall be disbursed to radio broadcast licensees in accordance with rules and regulations developed by the commission.

***Sec. 7. was vetoed, see message at end of chapter.**

NEW SECTION. Sec. 8. The state educational television commission is hereby abolished. All reports, documents, surveys, books, records, files, papers, or other writings in the possession of the state educational television commission, and pertaining to the functions affected by this act, shall be delivered to the custody of the state public broadcasting commission. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers and duties transferred by this act shall be made available to the state public broadcasting commission. All funds, credits, or other assets held in connection with the functions transferred by this act shall be assigned to the state public broadcasting commission.

Any appropriations made to the state educational television commission for the purpose of carrying out the powers and duties transferred by this act, shall, on the effective date of this act, be transferred and credited to the state public broadcasting commission for the purpose of carrying out such transferred powers and duties.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this act, the director of financial management shall make a determination as to the proper allocation and certify the same to the state departments and agencies concerned.

NEW SECTION. Sec. 9. If apportionments of budgeted funds are required because of the transfers authorized by this act, the director of financial management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with such certification.

NEW SECTION. Sec. 10. All rules and regulations of, and all pending business before the state educational television commission on the effective date of this act, shall be continued and acted upon by the state public broadcasting commission. All existing contracts and obligations of the state educational television commission on the effective date of this act shall remain in full force and effect and shall be performed by the state public broadcasting commission. The transfer of powers, duties or functions under this act shall not affect the validity of any act performed by any officer or

employee of the state educational television commission prior to the effective date of this act. Nothing in this act shall be construed to affect any actions, activities or proceedings validated under the sections repealed herein nor as affecting any criminal or civil proceedings instituted thereunder nor any administrative action taken thereunder.

NEW SECTION. Sec. 11. There is hereby appropriated from the state general fund for the biennium ending June 30, 1981, to the Washington State Public Broadcasting Commission, the sum of fifty-five thousand dollars for the purposes of this 1980 act: PROVIDED, That any moneys so appropriated may also be used for matching federal grants.

NEW SECTION. Sec. 12. The following acts or parts thereof are each hereby repealed:

(1) Section 28A.91.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.010;

(2) Section 28A.91.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.020;

(3) Section 28A.91.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.030;

(4) Section 28A.91.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.040;

(5) Section 28A.91.050, chapter 223, Laws of 1969 ex. sess., section 70, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.91.050; and

(6) Section 28A.91.060, chapter 223, Laws of 1969 ex. sess., section 19, chapter 75, Laws of 1977 and RCW 28A.91.060.

NEW SECTION. Sec. 13. Sections 1 through 7 of this act are added to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW.

NEW SECTION. Sec. 14. The Washington State Public Broadcasting Commission and its powers and duties shall terminate on June 30, 1983, and shall be subject to all of the processes provided in RCW 43.131.010 through 43.131.110 as now existing or hereafter amended.

NEW SECTION. Sec. 15. 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 February 29, 1980.

Passed the Senate February 27, 1980.

Approved by the Governor March 11, 1980, with the exception of Sections 1, 6, and 7 which are vetoed.

Filed in Office of Secretary of State March 11, 1980.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to three sections House Bill No. 542 entitled:

"AN ACT Relating broadcasting by radio and television, including instructional and public broadcasting . . ."

I agree that we need to establish a coordinating and planning mechanism to assure efficient and cost effective educational and public broadcasting. I have, however, vetoed Sections 1, 6, and 7. These three sections deal primarily with the funding for the Public Broadcasting Commission and in no way effect the intent or integrity of the legislation. I feel individual programs should be judged on merit and their funding levels evaluated as part of the overall priorities of the state during the regular budget process.

With the exception of Sections 1, 6, and 7 which I have vetoed, the remainder of House Bill No. 542 is approved."

CHAPTER 124

[House Bill No. 829]

FAMILY COURT—MARRIAGE LICENSE FEES

AN ACT Relating to family court; amending section 14, chapter 50, Laws of 1949 as amended by section 1, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.140; and adding a new section to chapter 26.12 RCW.

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

NEW SECTION. Section 1. There is added to chapter 26.12 RCW a new section to read as follows:

(1) The legislative authority of any county may impose a fee in excess of that prescribed in RCW 36.18.010 for the issuance of a marriage license: **PROVIDED,** That such fee shall not exceed eight dollars.

(2) In addition to any other funds used therefor, the governing body of any county shall use the proceeds from the fee increase authorized by this section to pay the expenses of family court under chapter 26.12 RCW. If there is no family court in the county, the legislative authority may provide such services through other county agencies or may contract with a public or private agency or person to provide such services.

(3) The county legislative authority may establish rules of eligibility for conciliation services funded under this section so long as its rules do not conflict with rules of the court adopted under chapter 26.12 RCW or any other statute.

(4) Fees collected under this section shall be collected and deposited in the same manner as other county funds are collected and deposited, and shall be maintained in a separate account to be used as provided in this section.

Sec. 2. Section 14, chapter 50, Laws of 1949 as amended by section 1, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.140 are each amended to read as follows:

No fee shall be charged by the county clerk for filing the petition; **PROVIDED, HOWEVER,** That the court may assess any costs deemed appropriate, but not to exceed one hundred fifty dollars, upon any or each