
CHAPTER 48

[Engrossed Senate Bill No. 2075]

NURSING HOMES—RELIGIOUS ORDER MEMBERS

AN ACT Relating to nursing homes and institutions; and amending section 21, chapter 117, Laws of 1951 and RCW 18.51.170.

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

Section 1. Section 21, chapter 117, Laws of 1951 and RCW 18.51.170 are each amended to read as follows:

Nothing in this chapter or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any nursing home or institution conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination, or for any nursing home or institution operated for the exclusive care of members of a convent as defined in RCW 84.36.800 or rectory, monastery, or other institution operated for the care of members of the clergy.

Passed the Senate February 4, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 22, 1977.

Filed in Office of Secretary of State March 22, 1977.

CHAPTER 49

[Senate Bill No. 2079]

UNFAIR BUSINESS PRACTICES—
DISPOSITION OF HUMAN REMAINS

AN ACT Relating to unfair business practices; and amending section 17, chapter 216, Laws of 1961 as last amended by section 1, chapter 158, Laws of 1974 ex. sess. and RCW 19.86.170.

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

Section 1. Section 17, chapter 216, Laws of 1961 as last amended by section 1, chapter 158, Laws of 1974 ex. sess. and RCW 19.86.170 are each amended to read as follows:

Nothing in this chapter shall apply to actions or transactions otherwise permitted, prohibited or regulated under laws administered by the insurance commissioner of this state, the Washington utilities and transportation commission, the federal power commission or actions or transactions permitted by any other regulatory body or officer acting under statutory authority of this state or the United States: PROVIDED, HOWEVER, That actions and transactions prohibited or regulated under the laws administered by the insurance commissioner shall be subject to the provisions of RCW 19.86.020 and all sections of chapter 216, Laws of 1961 and chapter 19.86 RCW which provide for the implementation and enforcement of RCW 19.86.020 except that nothing required or permitted to be done pursuant to Title 48 RCW shall be construed to be a violation of RCW 19.86.020: PROVIDED, FURTHER, That actions or transactions specifically permitted within the

statutory authority granted to any regulatory board or commission established within Title 18 RCW shall not be construed to be a violation of chapter 19.86 RCW; PROVIDED, FURTHER, That this chapter shall apply to actions and transactions in connection with the disposition of human remains.

RCW ((9-01-090)) 9A.20.010(2) shall not be applicable to the terms of this chapter and no penalty or remedy shall result from a violation of this chapter except as expressly provided herein.

Passed the Senate February 4, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 22, 1977.

Filed in Office of Secretary of State March 22, 1977.

CHAPTER 50

[Substitute House Bill No. 291]

COMMON SCHOOLS—INTERDISTRICT STUDENT TRANSFERS

AN ACT Relating to student transfers within the common schools; and amending section 1, chapter 66, Laws of 1975 1st ex. sess. and RCW 28A.58.242.

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

Section 1. Section 1, chapter 66, Laws of 1975 1st ex. sess. and RCW 28A.58-.242 are each amended to read as follows:

The decision of a school district within which a student under the age of twenty-one years resides or of a school district within which such a student under the age of twenty-one years was last enrolled and is considered to be a resident for attendance purposes by operation of law, to deny such student's request for release to a nonresident school district by an agreement pursuant to RCW 28A.58.240 may be appealed to the ((state board of education)) superintendent of public instruction or his or her designee; PROVIDED, That the school district of proposed transfer is willing to accept the student.

The ((state board of education or its designee)) superintendent of public instruction or his or her designee shall hear the appeal and examine the evidence. The ((state board of education)) superintendent of public instruction may order the resident district to release such a student who is under the age of twenty-one years in the event ((it)) he or she or his or her designee finds that a special hardship or detrimental condition of a financial, educational, safety or health nature affecting the student or the student's immediate family or custodian may likely be significantly alleviated as a result of the transfer. The decision of the ((state board of education)) superintendent of public instruction may be appealed to superior court pursuant to chapter 34.04 RCW, the administrative procedure act, as now or hereafter amended.

Passed the House February 25, 1977.

Passed the Senate March 4, 1977.

Approved by the Governor March 25, 1977.

Filed in Office of Secretary of State March 25, 1977.