

trial, the condemnee shall be entitled to an award of reasonable attorney fees and reasonable expert witness fees as authorized by subsections (1) and (2) of this section.

(4) Reasonable attorney fees as authorized in this section shall not exceed the general trial rate, per day for actual trial time and the general hourly rate for preparation as provided in the minimum bar fee schedule of the county or judicial district in which the proceeding was instituted, or if no minimum bar fee schedule has been adopted in the county, then the trial and hourly rates as provided in the minimum bar fee schedule customarily used in such county. Not later than July 1, 1971 the administrator for the courts shall adopt a rule establishing standards for verifying fees authorized by this section. Reasonable expert witness fees as authorized in this section shall not exceed the customary rates obtaining in the county by the hour for investigation and research and by the day or half day for trial attendance.

(5) In no event may any offer in settlement be referred to or used during the trial for any purpose in determining the amount of compensation to be paid for the property.

Passed the Senate March 12, 1971.

Passed the House April 19, 1971.

Approved by the Governor April 29, 1971.

Filed in Office of Secretary of State April 29, 1971.

CHAPTER 40

[Senate Bill No. 208]

STATE COLLEGES AND UNIVERSITIES--
FINANCIAL PLANS

AN ACT Relating to certain institutions of higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 43.88.110, the four state colleges and state universities shall submit to the governor a complete financial plan for the ensuing fiscal period in such form and at such time as he may require. The financial plan shall reflect all anticipated expenditures and all resources available to each college or university, whether appropriated or not, and whether restricted or not: PROVIDED, That restricted funds shall be shown

and applied only for the purposes for which received. The governor shall allot the amounts in the spending plan as proposed by the state college or university by source of funds within any program by fiscal year: PROVIDED, That the governor may alter the amounts proposed in the following cases:

(1) When necessary to reflect legislative intent as set forth in the executive budget as accepted or modified by the legislature in the senate or house journals or in any formal communication from the legislative budget committee;

(2) When necessary to limit total state expenditures to available revenues as required by RCW 43.98.110(2); and

(3) When a state college or university proposes the expenditure of a resource not disclosed in the budget request submitted to the governor and legislature.

Passed the Senate March 12, 1971.

Passed the House April 21, 1971.

Approved by the Governor April 29, 1971.

Filed in Office of Secretary of State April 29, 1971.

CHAPTER 41

[Engrossed House Bill No. 415]

PESTICIDES--

DEPARTMENT OF SOCIAL AND HEALTH SERVICES,
POWERS AND DUTIES

AN ACT Relating to pesticides; setting forth the responsibility and authority of the department of social and health services in relation thereto; and creating new sections.

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

NEW SECTION. Section 1. The department of social and health services has responsibility to protect and enhance the public health and welfare. As a consequence, it must be concerned with both natural and artificial environmental factors which may adversely affect the public health and welfare. Dangers to the public health and welfare related to the use of pesticides require specific legislative recognition of departmental authority and responsibility in this area.

NEW SECTION. Sec. 2. For the purposes of this act pesticide means, but is not limited to:

(1) Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, snail, slug, fungus, weed and any other form of plant or animal life or virus, except virus on or in living man or other