

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 28A.47 RCW a new section to read as follows:

Notwithstanding any other provision of this chapter, on and after the effective date of this 1977 act, the allocation and distribution of funds by the state board of education which are now or may hereafter be appropriated for the purposes of providing assistance in the construction of school plant facilities shall be governed by RCW 28A.47.073, 28A.47.075, and 28A.47.801 through 28A.47.809.

Passed the Senate May 4, 1977.

Passed the House June 3, 1977.

Approved by the Governor June 14, 1977.

Filed in Office of Secretary of State June 14, 1977.

CHAPTER 228

[Substitute Senate Bill No. 3010]

TORT CLAIMS REVOLVING FUND—APPROPRIATION—REIMBURSEMENT BY STATE AGENCIES

AN ACT Relating to the tort claims revolving fund; amending section 11, chapter 159, Laws of 1963 as last amended by section 3, chapter 75, Laws of 1977 and RCW 4.92.170; making an appropriation; and declaring an emergency.

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

NEW SECTION. Section 1. There is hereby appropriated from the general fund to the tort claims revolving fund for payment of claims pursuant to RCW 4.92.170, as now or hereafter amended, the sum of \$150,000, or so much thereof as may be necessary.

Sec. 2. Section 11, chapter 159, Laws of 1963 as last amended by section 3, chapter 75, Laws of 1977 and RCW 4.92.170 are each amended to read as follows:

Liability for and payment of claims arising out of tortious conduct or under and pursuant to 42 U.S.C. Sec. 1981 et seq. is declared to be a proper charge as part of the normal cost of operating the various agencies and departments of state government whose operations and activities give rise to the liability and a lawful charge against moneys appropriated or available to such agencies and departments.

Within any agency or department the charge shall be apportioned among such appropriated and other available moneys in the same proportion that the moneys finance the activity causing liability. Whenever the operations and activities of more than one agency or department combine to give rise to a single liability, the budget director shall determine the comparative responsibility of each agency or department for the liability.

State agencies (~~over which the budget director has authority to revise allotments under chapter 43.88 RCW~~) shall make reimbursement to the tort claims revolving fund for any payment made from it for the benefit of such agencies. The budget director is authorized and directed to transfer or order the transfer to the revolving fund, from moneys available or appropriated to such agencies, that sum of money which is a proper charge against them. Such amounts may be expended for the purposes for which the tort claims revolving fund was created by RCW

4.92.130 as herein or hereafter amended without further or additional appropriation: PROVIDED, That in any case where reimbursement would seriously disrupt or prevent substantial performance of the operations or activities of the state agency, the budget director may relieve the agency of all or a portion of the obligation to make reimbursement.

The budget director shall report on request to the legislature on the status of the tort claims revolving fund, all payments made therefrom, all reimbursements made thereto, and the identity of agencies and departments of state government whose operations and activities give rise to liability, including those agencies and departments over which he does not have authority to revise allotments under chapter 43.88 RCW.

The budget director may authorize agencies, in accordance with chapter 41.05 RCW to the extent that it is applicable, to purchase insurance to protect and hold personally harmless any officer or employee of the state, or any classes of such officers or employees or for other persons performing services for the state, whether by contract or otherwise, from any action, claim, or proceeding for damages arising out of the performance of duties for, employment with, or the performance of services on behalf of the state and to hold him harmless from any expenses connected with the defense, settlement or monetary judgment from such actions.

The budget director shall adopt rules and regulations governing the procedures to be followed in making payment from the tort claims revolving fund, in reimbursing the revolving fund and in relieving an agency of its obligation to reimburse.

NEW SECTION. Sec. 3. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 2, 1977.

Passed the House June 3, 1977.

Approved by the Governor June 14, 1977.

Filed in Office of Secretary of State June 14, 1977.

CHAPTER 229

[Engrossed Substitute Senate Bill No. 3028]
REVENUE BONDS—RESERVES

AN ACT Relating to the use of revenue bonds; and adding a new section to chapter 39.44 RCW.

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

NEW SECTION. Section 1. There is added to chapter 39.44 RCW a new section to read as follows:

Any county, city, town, political subdivision, or municipal corporation authorized to issue revenue bonds may include in the amount of any such issue funds for the purpose of establishing, maintaining or increasing reserves to:

(1) Secure the payment of the principal of and interest on such revenue bonds;
or

(2) Provide for replacements or renewals of or repairs or betterments to revenue producing facilities; or