

(1) If a member dies before retirement, and has no surviving spouse or children under the age of eighteen years, all contributions made by him with interest at two and one-half percent compounded annually shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representative.

(2) If a member should cease to be an employee before attaining age sixty for reasons other than his death, or retirement, he may request upon a form provided by the retirement board a refund (~~(of all or part)~~) of his contributions to the retirement fund, with interest at two and one-half percent compounded annually, and this amount shall be paid to him.

NEW SECTION. Sec. 8. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

The provisions of this 1969 amendatory act are intended to be remedial and procedural and any benefits heretofore paid to recipients hereunder pursuant to any previous act are retroactively included and authorized as a part of this act.

NEW SECTION. Sec. 9. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

If any provision of this chapter or its application to any person or circumstance is held invalid the remainder of the chapter, or its application of the provision to any other person or circumstances is not affected.

NEW SECTION. Sec. 10. Section 43.43.210, chapter 8, Laws of 1965 and RCW 43.43.210 are each repealed.

Passed the Senate February 24, 1969.

Passed the House March 1, 1969.

Approved by the Governor March 10, 1969.

Filed in office of Secretary of State March 10, 1969.

CHAPTER 13
[Engrossed House Bill No. 127]
COMMON SCHOOL PLANT FACILITIES -- BONDS

AN ACT Relating to the common schools and the support thereof; autho-

rizing the sale of limited obligation bonds and the use of the proceeds for needed common school plant facilities, modernization of existing common school facilities; providing ways and means to pay said bonds; making appropriations; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of twenty-six million four hundred thousand dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 2. The proceeds from the sale of the bonds authorized herein shall be deposited in the common school building construction account of the general fund and shall be used exclusively for the purposes of carrying out the provisions of this 1969 act, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 3. Bonds issued under the provisions of this

1969 act shall distinctly state that they are not a general obligation bond of the state, but are payable in the manner provided in this 1969 act from that portion of the common school construction fund derived from the interest on the permanent common school fund. That portion of the common school construction fund derived from interest on the permanent common school fund is hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of this 1969 act.

NEW SECTION. Sec. 4. The common school building bond redemption fund of 1967 is hereby created in the state treasury which fund shall be exclusively devoted to the retirement of the bonds and interest authorized by this 1969 act. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by this 1969 act. On July first of each year the state treasurer shall transfer such amount to the common school building bond redemption fund of 1967 from moneys in the common school construction fund certified by the state finance committee to be interest on the permanent common school fund and such amount certified by the state finance committee to the state treasurer shall be a prior charge against that portion of the common school construction fund derived from interest on the permanent common school fund.

The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 5. The legislature may provide additional means for raising funds for the payment of interest and principal of the bonds authorized by this 1969 act and this 1969 act shall not be deemed to provide an exclusive method of payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of general credit of the state of Washington.

NEW SECTION. Sec. 6. The bonds herein authorized shall be fully

negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county and municipal deposits.

NEW SECTION. Sec. 7. For the purpose of carrying out the provisions of this 1969 act funds appropriated to the state board of education from the common school building construction account of the general fund shall be allotted by the state board of education in accordance with the provisions of sections 7 through 15, chapter 3, Laws of 1961, extraordinary session: PROVIDED, That

the state board of education shall not discriminate as to any school district either individually or by classification

V- in the apportionment of funds under this 1969 act as to non-high school districts: PROVIDED FURTHER, That

no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation or such amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 8. There is hereby appropriated to the state board of education the following sums or so much thereof as may be necessary for the purpose of carrying out the provisions of this 1969 act: Twenty-six million four hundred thousand dollars from the common school building construction account of the general fund and five million seven hundred and fifty-five thousand four hundred and forty-six dollars from the common school construction fund.

In accordance with section 7 of this 1969 act, the state board of education is authorized to allocate for the purposes of carrying out the provisions of this 1969 act the entire amount of such appropriation as hereinabove in this section provided which is not already allocated for that purpose: PROVIDED, That expenditures against such allocation shall not exceed the amount appropriated in this section.

NEW SECTION. Sec. 9. If any section, paragraph, sentence, clause, phrase or word of this 1969 act shall be held to be invalid or unconstitutional, such 1969 act shall not affect nor impair the validity or constitutionality of any other section, paragraph, sentence, clause, phrase or word of this 1969 act. It is hereby declared that had any section, paragraph, sentence, clause, phrase or word as to which this 1969 act is declared invalid been eliminated from the act at the time the same was considered, the act would have nevertheless been enacted with such portions eliminated.

NEW SECTION. Sec. 10. This 1969 act is necessary for the immediate preservation of the public peace, health and safety, and for the support of state government and its existing public institutions, and shall take effect immediately.

Passed the House February 27, 1969.

Passed the Senate February 22, 1969.

Approved by the Governor March 8, 1969, with the exception of a certain item in Section 7, which is vetoed.

Filed in office of Secretary of State March 12, 1969.

NOTE: Governor's explanation of partial veto is as follows:
"...This is an emergency school bond construction bill providing for the issuance of \$26,400,000 in bonds and appropriating \$5,755,446 to the state board of education to provide common school plant facilities and modernization of existing common school plant facilities.

Section 7 provides that funds appropriated for the purposes of the act shall be allotted by the state board of education. After the bill passed the House, the Senate added a proviso to the effect that the state board of education may not discriminate either individually or by classification as to non-high school districts in the apportionment of the funds authorized by this emergency act. This would require that non-high school districts receive bond funds if they qualify as emergency districts.

Under the present law the allocation of school building funds is the responsibility of the state board of education. The exercise of this power through appropriate rules and regulations is one of the most important functions of the board. The proviso deprives the board of education of a significant part of its responsibility to allocate funds among school districts.

If the legislature intends to withdraw from the board of education this duty, it should consider whether this principle should apply to all state school bond issues and not merely to the funds authorized by this act. Such a step should be taken only after the most careful consideration and in accordance with the normal legislative processes.

Elimination of this proviso from the act does not deprive any non-high district of the opportunity to apply for emergency funds. Elimination of the proviso does restore the responsibility for the allocation of funds for school construction to the board of education.

With the exception of the item in Section 7, which I have vetoed for the reasons set forth above, the remainder of the bill is approved."

CHAPTER 14

[Engrossed House Bill No. 375]

PUBLIC ASSISTANCE --

RECIPIENTS GENERALLY -- WORK INCENTIVE

AN ACT Relating to public assistance; adding new sections to chapter 26, Laws of 1959, and to Title 74 RCW as a new chapter thereof.

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

NEW SECTION. Section 1. The purpose of this chapter is to provide every recipient of public assistance the opportunity to find and prepare for employment: PROVIDED, That recipients of aid to families with dependent children may be subject to other similar work incentive programs. As to recipients of federal-aid assistance, the employment program shall be consistent with federal law and requirements entitling the state to matching funds.

NEW SECTION. Sec. 2. The department of public assistance shall seek to promptly refer to the department of employment security all employable recipients and such others as are selected as being appropriate for referral in accordance with the criteria and standards established by the department of public assistance under the employment program set forth in this chapter.

NEW SECTION. Sec. 3. The employment security department shall seek to develop an employability plan for such persons referred to it under section 2 of this 1969 act and determine whether such indi-