

(c) that the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

(3) Applications for conditional-use permits, unless such applications are to be heard and decided by the planning agency. A conditional use means a use listed among those classified in any given zone but permitted to locate only after review as herein provided in accordance with standards and criteria set forth in the zoning ordinance.

(4) Such other quasi judicial and administrative determinations as may be delegated by ordinance.

In deciding any of the matters referred to in subsections (1), (2), (3), and (4) of this section, the board of adjustment shall issue a written report giving the reasons for its decision. If a code city provides for a hearing examiner and vests in him the authority to hear and decide the items listed in subdivisions (1), (2), and (3) of this section pursuant to RCW 35A.63.170, then the provisions of this section shall not apply to such a city.

NEW SECTION. Sec. 35. Section 35A.06.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.06.080 are each hereby repealed.

NEW SECTION. Sec. 36. 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.

NEW SECTION. Sec. 37. This 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 House March 21, 1979.

Passed the Senate April 9, 1979.

Approved by the Governor April 17, 1979.

Filed in Office of Secretary of State April 17, 1979.

---

## CHAPTER 19

[Substitute Senate Bill No. 2042]

### COLLEGES AND UNIVERSITIES—FOREIGN STUDENTS—CONSULAR MISSIONS—RESIDENT STATUS

AN ACT Relating to higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 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.15 RCW a new section to read as follows:

For the period commencing August 1, 1979, and ending July 31, 1983, the state's colleges and universities shall grant resident status for the purpose of tuition and fee payment, including operating fees and services and activities fees, to any student enrolled in an undergraduate or graduate program who is a resident of a foreign country and whose parent is temporarily assigned to a consular mission within this state: PROVIDED, That if a different tuition and fee schedule shall be charged Washington state students attending institutions of higher education located in any such particular country having students so enrolled in this state, than for resident students thereof, the provisions of this section shall cease to be in effect for such country's students in this state at the end of the fiscal year in which the different tuition and fee schedule is so charged.

The council for postsecondary education shall review the costs of such pilot program and make recommendations to the legislative session, commencing January, 1983, on the possible continuation of this experimental program. Following such review, the legislature shall make the determination to extend or terminate the program.

Passed the Senate March 21, 1979.

Passed the House April 10, 1979.

Approved by the Governor April 19, 1979.

Filed in Office of Secretary of State April 19, 1979.

---

## CHAPTER 20

[Senate Bill No. 2131]

### PUBLIC SCHOOLS—SURPLUS AND DONATED FOOD COMMODITIES— APPROPRIATION

AN ACT Relating to education; amending section 28A.30.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.30.040; and making an appropriation.

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

Section 1. Section 28A.30.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.30.040 are each amended to read as follows:

There is created in the office of the state superintendent of public instruction a revolving fund to be designated the surplus and donated food commodities revolving fund, and there is hereby appropriated to said revolving fund from the general fund for the fiscal biennium ending June 30, ((1969)) 1981, the sum of ((twenty-five)) seventy-five thousand dollars or so much thereof as shall be necessary to carry out the purposes of this chapter. The state treasurer shall, with the approval of the governor, transfer so much of this appropriation to the revolving fund from time to time as