

this state to the end construction of such facilities may be expedited to the fullest. The legislature of the state of Washington respectfully requests of the federal judiciary that challenges instituted in the federal courts relating to the validity of steps leading to the construction of the designated interstate highway or substitute public mass transit projects in lieu thereof be expedited to the fullest.

NEW SECTION. Sec. 6. 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. 7. 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 May 1, 1975.

Passed the Senate May 29, 1975.

Approved by the Governor July 1, 1975.

Filed in Office of Secretary of State July 1, 1975.

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## CHAPTER 273

[House Bill No. 12]

### VIET NAM VETERANS' BONUSES

AN ACT Relating to veterans benefits; amending section 2, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.020; amending section 10, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.090; amending section 13, chapter 154, Laws of 1972 ex. sess. as amended by section 2, chapter 173, Laws of 1974 ex. sess. and RCW 73.34.120; making an appropriation; and declaring an emergency.

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

Section 1. Section 2, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.020 are each amended to read as follows:

(1) There shall be paid to each person who has received the Viet Nam Service Medal or Armed Forces Expeditionary Medal (Viet Nam) or who has been on active federal service as a member of the armed military or naval forces of the United States between a period commencing August 5, 1964, and ~~((ending on such date as shall thereafter be determined by presidential proclamation or concurrent resolution of the congress terminating the conflict involving United States forces battling in South Viet Nam, or in the case of a reduction in hostilities, on a date determined by proclamation of the governor,))~~ March 28, 1973, and who has been honorably separated or discharged from such service, and who for a period of one year immediately prior to the date of his entry into such service(;) was a bona fide citizen or resident of the state of Washington, ~~((and received the Viet Nam Service Medal, the sum of two hundred and fifty dollars))~~ for such service between said dates(~~(- PROVIDED, HOWEVER, That persons otherwise eligible who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall not be eligible to receive compensation under the terms of this chapter. PROVIDED FURTHER))~~ the sum of two hundred fifty dollars for service in the Viet Nam combat zone and said person received the Viet Nam service medal or Armed Forces Expeditionary Medal (Viet Nam): PROVIDED HOWEVER, That persons otherwise eligible who have

been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall not be eligible to receive compensation under the terms of this chapter, except that POW's, dependents of MIA's and survivors of those persons who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall be eligible to receive compensation under the terms of this chapter: PROVIDED FURTHER, That persons otherwise eligible who were on active duty for training only, excepting persons who received the Viet Nam service medal or Armed Forces Expeditionary Medal (Viet Nam), shall not be eligible to receive compensation under the terms of this chapter: AND PROVIDED FURTHER, That persons who have already received extra compensation or other benefits based upon claimed residence at the time of entry into such active service from any other state or territory shall not be entitled to compensation under this chapter: AND PROVIDED FURTHER, That no person shall be eligible to receive compensation under this chapter having prior thereto applied for and received compensation hereunder.

(2) In lieu of awaiting receipt of the stated money amounts as provided in subsection (1) above, any qualified person may elect to receive credit for tuition, incidental fees or other fees in such amount at any state institution of higher education, including community colleges and vocational technical institutions, or at private institutions of higher education within the state, such credit to be immediately available upon the processing of such person's claim for a bonus under this chapter; institutions of higher education entering into this program under this chapter shall be reimbursed at such time as the bonus payment would otherwise be made.

(3) In case of the death of any such person prior to said termination date as referred to in subsection (1) above, or at such time as such person would have been eligible for benefits hereunder, an equal amount shall be paid to his surviving widow if not remarried at the time compensation is requested, or in case he left no widow or in case his widow remarried and he has left children, then to his surviving children, or in the event he left no widow eligible for payment hereunder, or children surviving on such date, then to his surviving parent or parents, or in the event he left no widow eligible for payment hereunder, or children surviving on such date, or parent or parents surviving on such date, then to his surviving grandparent or grandparents: PROVIDED, HOWEVER, That no such parent who has been deprived of custody of such child by a decree of a court of competent jurisdiction shall be entitled to any compensation under this chapter. Where a preceding beneficiary fails to file a proper claim for compensation before the final date set by this chapter, succeeding beneficiaries who have filed proper claims before such final date may proceed to qualify upon submission of satisfactory proof of eligibility. Widows, children, or parents of persons missing in action or prisoners of war may file claims for compensation as authorized by this chapter and in the same order as claims for deceased veterans. Any compensation paid to a beneficiary pursuant to this subsection shall be complete settlement and satisfaction of any claim thereafter made on behalf of the person or by the person himself.

~~((4) It is the purpose of the legislature that benefits payable under the provisions of this chapter shall be comparable to those paid to veterans under former~~

~~laws, the increase in dollar amount herein reflecting an approximation of the increase in the cost of living as indicated by the consumer price index of the United States Department of Labor, Bureau of Labor Statistics.))~~

Sec. 2. Section 10, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.090 are each amended to read as follows:

No charge shall be made by any agent, notary public, or attorney for any service in connection with obtaining a certificate to obtain the allowance provided for by this chapter, and no person shall, for a consideration, discount or attempt to discount, or for a consideration, advance money upon any certificate or certificates issued pursuant to this chapter. No claim for payment under this chapter shall be subject to garnishment, attachment, levy, or execution. Any violation of this section shall be a gross misdemeanor.

Sec. 3. Section 13, chapter 154, Laws of 1972 ex. sess. as amended by section 2, chapter 173, Laws of 1974 ex. sess. and RCW 73.34.120 are each amended to read as follows:

No certificate or claim for compensation under this chapter shall be accepted after March 28, ~~((1975, nor shall any warrant be))~~ 1976. No warrant shall be drawn for the payment of any compensation authorized by this chapter unless a formal application has been filed ((on the day)) as set forth above.

The state treasurer and his authorized agents shall have until ~~((March 28, 1976,))~~ December 31, 1976, to process all applications filed pursuant to this chapter and microfilm all records pertaining thereto.

*\*NEW SECTION. Sec. 4. This 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.*

*\*Sec. 4. was vetoed, see message at end of chapter.*

NEW SECTION. Sec. 5. There is hereby appropriated from the War Veterans' Compensation Fund the sum of seventy-five thousand, six hundred dollars or so much as is necessary to carry out the provisions of this act for the period ending December 31, 1976.

Passed the House June 7, 1975.

Passed the Senate June 6, 1975.

Approved by the Governor July 2, 1975 with the exception of section 4 which is vetoed.

Filed in Office of Secretary of State July 2, 1975.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to one section House Bill No. 12 entitled:

"AN ACT Relating to veterans benefits."

This bill makes certain changes in the eligibility requirements for receipt of Viet Nam veterans bonuses.

Section 4 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of section 4 which I have vetoed, the remainder of House Bill No. 12 is approved."

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CHAPTER 274  
[House Bill No. 176]  
PUBLIC EMPLOYEES' BENEFITS—COMMITTEE  
FOR DEFERRED COMPENSATION—  
APPROPRIATION

AN ACT Relating to public employees' benefits; amending section 1, chapter 264, Laws of 1971 ex. sess. as last amended by section 1, chapter 99, Laws of 1973 1st ex. sess. and RCW 41.04.250; adding a new section to chapter 41.04 RCW; making an appropriation.

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

NEW SECTION. Section 1. There is added to chapter 41.04 RCW a new section to read as follows:

There is hereby created a committee for deferred compensation to be composed of five members appointed by the Governor, one of whom shall be a representative of an employee association or union certified as an exclusive representative of at least one bargaining unit of classified employees, one who shall be a representative of either a credit union, savings and loan association, mutual savings bank or bank, one who shall be a representative of an insurance association or investment company, one who shall be the state attorney general or his designee and one additional member selected by the Governor. The committee shall serve without compensation but shall receive necessary expenses as provided for in RCW 43.03.050 and 43.03.060. The committee shall be trustees of the deferred compensation revolving fund which is hereby created in the state treasury. All expenses of the committee including staffing and administrative expenses shall be paid out of the deferred compensation revolving fund. The amount of compensation deferred or amounts paid by employees under agreements entered into under the authority contained in RCW 41.04.250 shall be paid into the revolving fund and shall be sufficient to cover costs of administration and staffing in addition to such other amounts as determined by this committee. The revolving fund shall be used to carry out the purposes of RCW 41.04.250. Any county, municipality or other subdivision of the state may elect to participate in any agreements entered into by the committee under RCW 41.04.250.

Sec. 2. Section 1, chapter 264, Laws of 1971 ex. sess. as last amended by section 1, chapter 99, Laws of 1973 1st ex. sess. and RCW 41.04.250 are each amended to read as follows:

(Any department, division, or separate agency of) The state ((government)), through the committee for deferred compensation created in section 1 of this amendatory act, and any county, municipality, or other political subdivision of the state acting through its principal supervising official or governing body is authorized to:

(1) Enter into an agreement with any life insurance company, bank trustee, or custodian authorized to do business in the state of Washington to provide qualified pension plans under the provisions of 26 U.S.C., section 401 (a), as amended by Public Law 89-809, 80 Stat. 1577, 1578 as now or hereafter amended, or to