

CHAPTER 238
[Engrossed Senate Bill No. 738]
COMMUNITY COLLEGES--DISPOSITION OF FEES--
BONDS, DEBT SERVICE

AN ACT Relating to community colleges; amending section 32, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.320; amending section 34, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.340; amending section 36, chapter 8, Laws of 1967 ex. sess. and RCW 28.85-.360; amending section 37, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.370; amending section 28B.50.320, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.320; amending section 28B.50.340, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50-.340; amending section 28B.50.360, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.360; amending section 28B.50.370, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.370; providing sections to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW if such titles shall be enacted; and declaring an emergency.

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

Part I. Sections affecting current law.

Section 1. Section 32, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.320 are each amended to read as follows:

((Sixty)) Forty percent of all general tuition fees, all incidental fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of trustees of the community college district. Each person authorized to sign as pro-

vided above, shall execute a surety bond in the sum of not less than the average amount on deposit in the fund during the preceding six months, or ten thousand dollars, whichever is greater. Said bonds shall be filed in the state auditor's office.

Sec. 2. Section 34, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.340 are each amended to read as follows:

In addition to the powers conferred under RCW 28.85.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to (~~forty~~) sixty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

Sec. 3. Section 36, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.360 are each amended to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter forty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the a-

mounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the (~~forty~~) sixty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, refection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

Sec. 4. Section 37, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.370 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the bond retirement fund of the state board for community college education,

the following:

(1) Amounts derived from up to (~~forty~~) sixty percent of all general tuition fees as are necessary to pay the principal of and interest on the bonds and to secure the same;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the college board shall charge and collect general tuition fees as established by this chapter and deposit up to (~~forty~~) sixty percent of such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

Part II. Sections affecting proposed 1969 education code.

Sec. 5. Section 28B.50.320, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.320 are each amended to read as follows:

(~~Sixty~~) Forty percent of all general tuition fees, all incidental fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of trustees of the community college district. Each person authorized to sign as provided above, shall execute a surety bond in the sum of not less than the average amount on deposit in the fund during the preceding six

months, or ten thousand dollars, whichever is greater. Said bonds shall be filed in the state auditor's office.

Sec. 6. Section 28B.50.340, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.340 are each amended to read as follows:

In addition to the powers conferred under RCW 28B.50.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to (~~forty~~) sixty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

Sec. 7. Section 28B.50.360, chapter ..., Laws of 1969 (HB 58) and RCW 28B.50.360 are each amended to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter (~~forty~~) sixty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The

amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the (~~forty~~) sixty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

Sec. 8. Section 28B.50.370, chapter ... , Laws of 1969 (HB 58) and RCW 28B.50.370 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the bond retirement fund of the state board for community college education, the following:

(1) Amounts derived from up to (~~forty~~) sixty percent of

all general tuition fees as are necessary to pay the principal of and interest on the bonds and to secure the same;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the college board shall charge and collect general tuition fees as established by this chapter and deposit up to (~~forty~~) sixty percent of such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

Part III. Construction.

NEW SECTION. Sec. 9. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of Part I of the instant bill seek to change existing laws. The provisions of Part II seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part I shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part I shall expire and the provisions of Part II shall concomitantly become effective. It is the further intent of the legislature that Part II of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs then any amendatory provisions of Part II of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part II shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part II shall

be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 10. Part II of this 1969 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 on the date upon which the 1969 education code becomes effective.

Passed the Senate May 6, 1969
Passed the House May 8, 1969
Approved by the Governor May 22, 1969
Filed in office of Secretary of State May 22, 1969

CHAPTER 239
[Engrossed Senate Bill No. 326]
STATE GOVERNMENT--GOVERNOR,
OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT

AN ACT Relating to state government; creating an office of program planning and fiscal management within the office of the governor; prescribing its composition, powers, duties and functions; transferring certain powers, duties and functions thereto from the central budget agency and the planning and community affairs agency; abolishing the central budget agency; amending section 43.88.020, chapter 8, Laws of 1965 and RCW 43.88.020; adding new sections to chapter 43.41 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new section to chapter 8, Laws of 1965 and to chapter 43.88 RCW; repealing sections 43.41.010 and 43.41.020, chapter 8, Laws of 1965 and RCW 43.41.010 and 43.41.020; and declaring an effective date.

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

NEW SECTION. Section 1. There is added to chapter 43.41 RCW a new section to read as follows:

The legislature finds that the need for long-range state program planning and for the short-range planning carried on through the budget process, complement each other. The biennial budget submitted to the legislature must be considered in the light of the longer-range plans and goals of the state. The effectiveness of the short-range