

System to increase the prior service annuity for retired state patrolmen from 1 1/2% of the member's average final salary multiplied by the number of years of prior service to 2% of such salary figure.

Veto
Message

During consideration of this bill in the legislative process an amendment was added which excluded those persons from the benefits of this increase who are employed by the United States, the State or any agency or instrumentality or political subdivision thereof.

Pensions are earned upon the basis of past service and should not be conditioned upon the category of employment a person eligible for a pension undertakes after termination of his service. Excluding persons employed by a government agency from the benefit increase while granting such increases to persons employed with a private employer is patently discriminatory and there is no justification for this distinction.

I have accordingly vetoed two items in section 1. The remainder of the bill is approved."

CHAPTER 279

[Engrossed Substitute House Bill No. 740]

INSTITUTIONS OF HIGHER EDUCATION--

FEEES

AN ACT Relating to institutions of higher education; amending section 28B.15.100; chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.100; amending section 28B.15.200, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.200; amending section 28B.15.300, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.300; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 269, Laws of 1969 ex. sess. and RCW 28B.15.380; amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.400; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.500; amending section 29, chapter 261, Laws of 1969 ex. sess. as amended by section 8,

chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.520; amending sections 9 and 10, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.523 and 28B.15.525; amending section 28B.15.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.600; amending section 9, chapter 269, Laws of 1969 ex. sess. and RCW 28B.40.361; amending section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 59, Laws of 1970 ex. sess. and RCW 28B.50.320; amending section 18, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.340; amending section 2, chapter 8, Laws of 1971 and RCW 28B.50.350; amending section 20, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.360; amending section 28B.50.370, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 238, Laws of 1969 ex. sess. and RCW 28B.50.370; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing sections 28B.15.030, 28B.15.040 and 28B.15.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.030, 28B.15.040, and 28B.15.050; and repealing section 28B.15.410, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.410.

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:

"Colleges and universities" for the purposes of this chapter shall mean Central Washington State College at Ellensburg, Eastern Washington State College at Cheney, Western Washington State College at Bellingham, The Evergreen State College in Thurston County, community colleges as are provided for in chapter 28B.50 RCW, the University of Washington and Washington State University.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

The term "operating fees" as used in this chapter shall include the fees, other than general tuition fees, charged all students registering at the state's colleges and universities but shall not include fees for short courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to impose, laboratory, gymnasium, health, and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms,

dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon, or such other special fees as may be established by any college or university board of trustees or regents from time to time. Operating fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the state's colleges or universities for the general operation and maintenance of their particular institution.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

The term "services and activities fees" as used in this chapter is defined to mean fees, other than general tuition and operating fees, charged to all students registering at the state's colleges and universities. Services and activities fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the state's colleges or universities for the express purpose of funding student activities and programs of their particular institution.

NEW SECTION. Sec. 4. The board of trustees or regents of each of the state's colleges or universities may allocate from services and activities fees an amount not to exceed one dollar per quarter or one dollar and fifty cents per semester to an institutional student loan fund for needy students, to be administered by such rules or regulations as the board of trustees or regents may adopt: PROVIDED, That loans from such funds shall not be made for terms exceeding twelve months, and the true annual rate of interest charged shall be six percent.

Sec. 5. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.100 are each amended to read as follows:

The board of regents and board of trustees at each of the state's colleges and universities shall charge to and collect from each of the students registering at the particular institution such general tuition fees (~~((incidenta!))~~) , operating fees , services and activities fees, and other fees as such board shall in its discretion determine: PROVIDED, That such general tuition fees and (~~((incidenta!))~~) operating fees for quarters other than summer session shall be in at least the amounts for the respective institutions as set forth in RCW 28B.15.200, 28B.15.300, 28B.15.400 and 28B.15.500 as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be consistent with RCW 28B.15.500 as now or hereafter amended.

Sec. 6. Section 28B.15.200, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.200 are each amended to read as follows:

Minimum general tuition fees ((and incidental)), operating fees, and services and activities fees at the University of Washington other than at summer quarters shall be as follows:

(1) For schools and departments other than ((the schools of medicine and dentistry)) programs leading to the degrees of doctor of medicine and doctor of dental surgery, for

(a) Full time resident students

(i) General tuition fee, ((thirty-five)) thirty-nine dollars; ((and ~~iii~~ incidental fees, an amount which, together with such general tuition fees, will be not less than seventy dollars: PROVIDED, That the total of the general tuition fees together with incidental fees shall not exceed an amount of three hundred fifty dollars in any one academic year exclusive of the summer session:))

(ii) Operating fees, eighty-nine dollars; and

(iii) Services and activities fees, thirty-seven dollars: PROVIDED, That the total of the general tuition fees together with operating fees and services and activities fees shall not exceed an amount of five hundred sixty-four dollars in any one academic year exclusive of the summer session.

(b) Full time nonresident students

(i) General tuition fee, not less than one hundred ((five)) fifteen dollars; ((and))

(ii) ((Incidental)) Operating fees, ((an amount which together with such general tuition fee, will be not less than one hundred fifty)) three hundred one dollars; and

(iii) Services and activities fees, thirty-seven dollars.

(2) For ((schools of medicine and dentistry)) programs leading to the degrees of doctor of medicine and doctor of dental surgery, for

(a) Full time resident students ((except physical and occupational therapy students))

(i) General tuition fee, not less than one hundred eleven dollars; ((and))

(ii) ((Incidental)) Operating fees, ((an amount which, together with such general tuition fee, will be not less than one hundred fifty)) eighty-nine dollars; and

(iii) Services and activities fees, thirty-seven dollars.

(b) Full time nonresident students ((except physical and occupational therapy students))

(i) General tuition fee, not less than one hundred ((sixty-five)) eighty-one dollars; ((and))

(ii) ((Incidental)) Operating fees, ((an amount which, together with such general tuition fee, will be not less than two)) three hundred ((fifty)) one dollars; and

(iii) Services and activities fees, thirty-seven dollars.

((c) Full time resident physical and occupational therapy students

(i) General tuition fee, not less than sixty-five dollars; and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than one hundred ten dollars;

(d) Full time nonresident physical and occupational therapy students

(i) General tuition fee, not less than one hundred twenty-five dollars; and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than two hundred ten dollars;)

Sec. 7. Section 28B.15.300, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.300 are each amended to read as follows:

Minimum general tuition fees ((and incidental)), operating fees, and services and activities fees at Washington State University other than at summer semesters shall be as follows:

A. For schools, colleges and departments other than the college of veterinary medicine, for

(1) Full time resident students:

(a) General tuition fee, ((fifty-two)) fifty-eight dollars and fifty cents; ((and

(b) Incidental fees, an amount which, together with such general tuition fees, will be not less than one hundred five dollars; PROVIDED, That the total of the general tuition fees together with incidental fees shall not exceed an amount of three hundred fifty dollars in any one academic year exclusive of the summer session;))

(b) Operating fees, one hundred thirty-three dollars and fifty cents; and

(c) Services and activities fees, fifty-five dollars and fifty cents; PROVIDED, That the total of the general tuition fees together with operating fees and services and activities fees shall not exceed an amount of five hundred sixty-four dollars in any one academic year exclusive of the summer session.

(2) Full time nonresident students:

(a) General tuition fee, one hundred ((fifty-seven)) seventy-two dollars and fifty cents; ((and))

(b) ((Incidental)) Operating fees, ((an amount which, together with such general tuition fee, will be not less than two hundred twenty-five)) four hundred fifty-one dollars and fifty cents; and

(c) Services and activities fees, fifty-five dollars and fifty cents.

B. For the college of veterinary medicine, for

(1) Full time resident students:

(a) General tuition fee, not less than ((fifty-two)) one

hundred sixty-two dollars and fifty cents; ((and))

(b) ((Incidental)) Operating fees, ((an amount which, together with such general tuition fee, will be not less than)) one hundred ((fifty-five)) thirty-three dollars and fifty cents; and

(c) Services and activities fees, fifty-five dollars and fifty cents.

(2) Full time nonresident students:

(a) General tuition fee, not less than ((one)) two hundred ((fifty-seven)) seventy-one dollars and fifty cents; ((and))

(b) ((Incidental)) Operating fees, ((an amount which, together with such general tuition fee, will be not less than three)) four hundred ((twenty-five)) fifty-one dollars and fifty cents; and

(c) Services and activities fees, fifty-five dollars and fifty cents.

Sec. 8. Section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 269, Laws of 1969 ex. sess. and RCW 28B.15.380 are each amended to read as follows:

In addition to any other exemptions as may be provided by law, the board of regents at the universities may exempt the following classes of persons from the payment of general tuition fees ((or)) and ((incidental)) operating fees, or services and activities fees except for individual instruction fees: (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any such veterans have not resided in this state for one year prior to registration said board may exempt them up to one half of the tuition payable by other nonresident students. (2) Members of the staffs of the University of Washington and Washington State University. (3) Teachers in the public schools of the state who supervise the cadet teachers from the University of Washington.

Sec. 9. Section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.400 are each amended to read as follows:

The board of trustees of Eastern Washington State College, Central Washington State College, Western Washington State College and The Evergreen State College shall each quarter other than summer session charge to and collect from each of the full time students registered at the respective colleges general tuition fee ((and incidental)) and operating fees, and services and activities fees as follows:

(1) Full time resident students:

(a) General tuition fee, not less than ((fifteen)) twenty-five dollars; ((and))

(b) Services and activities fees, not less than forty-eight

dollars and fifty cents; and

(c) ~~((Incidental))~~ Operating fees, an amount which, together with such general tuition fee and services and activities fees, will not be more than one hundred ~~((twenty))~~ sixty-nine dollars.

(2) Full time nonresident students:

(a) General tuition fee, not less than ~~((forty-five))~~ ninety-six dollars;

(b) Services and activities fees, not less than forty-eight dollars and fifty cents; and

(c) ~~((Incidental))~~ Operating fees, an amount which, together with such general tuition fee and services and activities fees, will not be more than ~~((two))~~ four hundred ~~((forty))~~ fifty-three dollars.

Sec. 10. Section 28B.15.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.500 are each amended to read as follows:

General tuition fees ~~((and incidental))~~, operating fees and services and activities fees charged students registered at each community college other than at summer quarters shall be as follows:

(1) Full time resident students:

(a) General tuition ~~((fees))~~ fee, ~~((fifty))~~ forty-one dollars and fifty cents per quarter; ~~((and))~~

(b) ~~((Incidental))~~ Operating fees ~~((not more than twenty))~~ twenty-seven dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.

(2) Full time nonresident students:

(a) General tuition ~~((fees))~~ fee, one hundred ~~((fifty))~~ thirty-one dollars and fifty cents per quarter; ~~((and))~~

(b) ~~((Incidental))~~ Operating fees, ~~((not more than twenty))~~ eighty-one dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.

Tuition ~~((and incidental))~~, operating fees and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

NEW SECTION. Sec. 11. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Notwithstanding any other provision of this chapter or the laws of the state, the boards of trustees or regents of each of the state's colleges or universities, and the various community colleges consistent with regulations and procedures established by the state

board for community college education, may waive, in whole or in part, the tuition, operating, and services and activities fees for needy or disadvantaged students: PROVIDED, That a state-wide student aid advisory committee shall be appointed by the director of the state board for community college education to assist the director in the promulgation of such regulations and procedures and to provide specific advice to the director in the development of priorities recognizing need based on income levels: PROVIDED FURTHER, That the total dollar amount of such tuition and fee waivers awarded in any quarter or semester other than summer shall be not more than three percent of an amount determined by estimating total collections from tuition, operating and services and activities fees had no waivers under this section been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED FURTHER, That the total dollar amount of such tuition and fee waivers awarded by the various community colleges in any quarter other than summer shall be not more than three percent of an amount determined by estimating the total collections of all community colleges from tuition, operating and services and activities fees had no waivers under this section been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED FURTHER, That no waiver under this section shall be granted to a person who is not a "resident student" as defined in RCW 28B.15.010.

Sec. 12. Section 29, chapter 261, Laws of 1969 ex. sess. as amended by section 8, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, (~~incidental~~) operating fees, services and activities fees, and any other fees for needy students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high

school diploma or certificate. In addition to the authority above, community college districts may contract with school districts to provide such courses of study. School districts are also authorized to claim such students for attendance purposes.

Sec. 13. Section 9, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.523 are each amended to read as follows:

For the purpose of RCW 28B.15.520, "needy student" shall mean a student who demonstrates to the board of trustees the financial inability, either through his parents, family and/or personally, to meet the total cost of general tuition fees, (~~incidental~~) operating

fees, services and activities fees, and any other fees or any portion of such total for any quarter or semester.

Sec. 14. Section 10, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.525 are each amended to read as follows:

The state board for community college education shall establish the criteria for the determination of financial need which shall be the basis for the determination by a board of trustees or their designee that a particular applicant is a "needy student". In establishing the criteria the state board shall consider the following:

- (1) (a) Assets and income of the student; and/or
- (b) Assets and income of the parents, or other individuals legally responsible for the care and maintenance of the student;
- (2) The cost of attending the community college the student is enrolled in;
- (3) (a) The cost of requirements for the student and the dependent members of his family; and/or
- (b) The cost of requirements for the parents, or other individuals legally responsible for the care and maintenance of the student.

The total of the general tuition fees, (~~incidental~~) operating fees, services and activities fees, and any other fees waived for any quarter or semester shall not exceed the sum of subsections (2) and (3) less subsection (1).

Sec. 15. Section 28B.15.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.600 are each amended to read as follows:

The boards of regents of the state's universities and the boards of trustees of the state colleges may refund or cancel in full general tuition fees (~~and incidental~~) , operating fees, and services and activities fees if the student withdraws from the university or college prior to the sixth day of instruction of the quarter or semester for which said fees have been paid or are due. If the student withdraws on or after the sixth day of instruction, said boards of regents and trustees may refund or cancel up to one-half of said fees, provided such withdrawal occurs within the first thirty calendar days following the beginning of instruction. Said boards of regents and trustees may extend the refund or cancellation period for students called into the military service of the United States.

Said boards of regents and trustees may refund other fees pursuant to such rules as they may prescribe.

Sec. 16. Section 9, chapter 269, Laws of 1969 ex. sess. and RCW 28B.40.361 are each amended to read as follows:

The boards of trustees may exempt from the payment of general tuition (~~or incidental~~) , operating fees, or services and

activities fees, except for individual instruction fees, all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service.

Sec. 17. Section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 59, Laws of 1970 ex. sess. and RCW 28B.50.320 are each amended to read as follows:

((Forty percent of all general tuition fees)) All ((incidental)) operating fees, services and activities fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct unless otherwise provided by law. 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 as provided in RCW 43.17.100. Said bond or bonds shall be filed in the office of the secretary of state.

Sec. 18. Section 18, chapter 15, Laws of 1970 ex. sess. 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 ((sixty)) one hundred 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.

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28B.50.340 through

28B.50.400.

Sec. 19. Section 2, chapter 8, Laws of 1971 and RCW 28B.50.350 are each amended to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

- (1) Shall not constitute
 - (a) an obligation, either general or special, of the state; or
 - (b) a general obligation of the college or of the college board;
- (2) Shall be
 - (a) either registered or in coupon form; and
 - (b) issued in denominations of not less than one hundred dollars; and
 - (c) fully negotiable instruments under the laws of this state; and
 - (d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;
- (3) Shall state
 - (a) the date of issue; and
 - (b) the series of the issue and be consecutively numbered within the series; and
 - (c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;
- (4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine;
- (5) Shall be payable both principal and interest out of the bond retirement fund;
- (6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;
- (7) Shall be sold in such manner and at such price as the board may prescribe;
- (8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal

thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8) (b) above;

(9) Shall constitute a prior lien and charge against ((~~sixty percent of~~)) all general tuition fees of the community colleges.

Sec. 20. Section 20, chapter 15, Laws of 1970 ex. sess. 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 ((~~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 ((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. 21. Section 28B.50.370, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 238, Laws of 1969 ex. sess. 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 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 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.

NEW SECTION. Sec. 22. Veterans of the Vietnam conflict who have served in the southeast Asia theater of operations attending institutions of higher learning shall be exempted from the payment of any increase in tuition and fees as are imposed by this 1971 amendatory act and shall not be required to pay more than the total amount of tuition and fees in effect on March 29, 1971: PROVIDED FURTHER, That for the purposes of this exemption, "veterans of the Vietnam conflict" shall be those persons who have 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 duly adopted concurrent resolution of the legislature of this state or by presidential proclamation or concurrent resolution of the Congress terminating the conflict involving United States forces battling in South Vietnam, 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.

NEW SECTION. Sec. 23. An additional fee of sixty dollars per academic year shall be added to the operating fee for all students enrolled in a program leading to a graduate degree.

NEW SECTION. Sec. 24. The following acts or parts of acts are hereby repealed:

(1) Section 28B.15.030, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.030;

(2) Section 28B.15.040, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.040;

(3) Section 28B.15.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.050; and

(4) Section 28B.15.410, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.410.

NEW SECTION. Sec. 25. If any provision of this 1971 amendatory 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.

Passed the House May 8, 1971.

Passed the Senate May 7, 1971.

Approved by the Governor May 21, 1971 with the exception of one item which is vetoed.

Filed in Office of Secretary of State May 21, 1971.

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

"...Substitute House Bill No. 740, as passed by the

Veto
Message

Legislature, provided for fee increases for students attending institutions of higher education. Several other provisions relating to education were also contained within the bill.

Veto
Message

I have signed Engrossed Substitute House Bill 740 with the following exception:

On page 10, section 12, lines 30 through 33, I have vetoed the following item:

"In addition to the authority above, community college districts may contract with school districts to provide such courses of study. School districts are also authorized to claim such students for attendance purposes."

Section 12, as initially included within Substitute House Bill 740, was an amendatory section changing references to classifications of student fees at community colleges. The above language was added as a House floor amendment to the substitute bill. It allows community colleges to contract with school districts to provide educational opportunities for those individuals who previously did not complete high school. Although the basic purpose of this amendment has merit, it does present several administrative problems for the amendment also allows school districts to claim such students for attendance purposes.

School districts and community colleges presently have authority to perform these educational services. Present statutes also allow intergovernmental agreements between the community colleges and school districts. The amended language does not define clearly the relationships between the K-12 and community college program areas. The budgetary impact is potentially significant, but no fiscal review of the procedure was conducted nor additional appropriation made. The language allows both community colleges and common schools to count these students for funding purposes.

The Superintendent of Public Instruction has requested that this section be vetoed for the following reasons:

- "1. There are currently adequate procedures available for school districts to enter into such

agreements.

2. School districts could enter into interdistrict agreements with other school districts to provide special dropout rehabilitation programs.
3. Leaving this language in ESHB 740 would tend to encourage the fragmentation of the high school program as it now operates.
4. High schools should be challenged to provide programs for their students rather than "contracting" them to a community college.
5. Probably the most important monetary angle of this language would allow such students to be counted as FTE's for community colleges as well as their attendance being claimed by school districts."

While the concept may be meritorious, the potential impact, apparently unrecognized by the legislature, is too great to allow this provision to become law without adequate study.

I am forwarding a copy of this veto message to the Superintendent of Public Instruction and to the State Board for Community College Education requesting them to review this matter and make recommendations where appropriate to me and to the next legislative session to insure that adequate educational opportunities exist for students desiring to acquire their high school diploma."

CHAPTER 280

[Engrossed House Bill No. 291]

GAMBLING

AN ACT Relating to gambling; adding new sections to chapter 9.47 RCW; creating new sections; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 5, page 98, Laws of 1879, section 1257, Code of 1881, section 3, chapter 7, Laws of 1957 and RCW 4.24.080; repealing section 99, page 93, Laws of 1854, sections 104, 105, page 222, Laws of 1869, sections 110, 111,