

Washington in the county of residence of such parent or guardian, otherwise in Thurston county, and have such decision reviewed and its correctness, reasonableness, and lawfulness decided in an appeal heard as in initial proceeding on an original application. Said parent or guardian shall have the right to appeal from the decision of the superior court to the supreme court or the court of appeals of the state of Washington, as in civil cases.

NEW SECTION. Sec. 11. There is added to chapter 72.33 RCW a new section to read as follows:

The secretary of social and health services is authorized to make payments for nonresidential services which exceed the cost of caring for an average individual at home, and which are reasonably necessary for the care, treatment, maintenance, support, and training of mentally and/or physically deficient persons, upon application pursuant to section 2 of this 1975 amendatory act. The department shall adopt rules and regulations determining the extent and type of care and training for which the department will pay all or a portion of the costs.

NEW SECTION. Sec. 12. Section 72.33.120, chapter 28, Laws of 1959, section 1, chapter 154, Laws of 1959 and RCW 72.33.120 are each repealed.

Passed the Senate May 23, 1975.

Passed the House June 7, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

CHAPTER 247

[Engrossed Senate Bill No. 2840]

CONVICTED FIRST DEGREE RAPISTS— PAROLE OR WORK RELEASE ELIGIBILITY

AN ACT Relating to the sentencing of persons convicted of criminal offenses; amending section 4, chapter 14, Laws of 1975 1st ex. sess. and RCW _____.; defining crimes; and prescribing penalties.

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

Section 1. Section 4, chapter 14, Laws of 1975 1st ex. sess. and RCW _____. are each amended to read as follows:

(1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person not married to the perpetrator by forcible compulsion where the perpetrator or an accessory:

- (a) Uses or threatens to use a deadly weapon; or
- (b) Kidnaps the victim; or
- (c) Inflicts serious physical injury; or
- (d) Feloniously enters into the building or vehicle where the victim is situated.

(2) Rape in the first degree is a felony, and shall be punished by imprisonment in the state penitentiary for a term of not less than twenty years. No person convicted of rape in the first degree shall be granted a deferred or suspended sentence except for the purpose of commitment to an inpatient treatment facility: PROVIDED, That every person convicted of rape in the first degree shall be confined for a minimum of three years: PROVIDED FURTHER, That the board of prison

terms and paroles shall have authority to set a period of confinement greater than three years but shall never reduce the minimum three-year period of confinement nor shall the board release the convicted person during the first three years of confinement as a result of any type of automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release program or furlough program during the first three years of confinement.

Passed the Senate June 8, 1975.
Passed the House June 7, 1975.
Approved by the Governor June 26, 1975.
Filed in Office of Secretary of State June 27, 1975.

CHAPTER 248

[Engrossed Senate Bill No. 2863]

PHYSICAL SAFETY OF SCHOOL CHILDREN

AN ACT Relating to the physical safety of school children; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 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 28A.58 RCW a new section to read as follows:

The board of directors of each school district by rule or regulation shall set forth proper procedure to ensure that each school within their district is carrying out district policy providing that no child will be removed from any school grounds or building thereon during school hours except by a person so authorized by a parent or legal guardian having legal custody thereof: PROVIDED, That such rules and regulations need not be applicable to any child in grades nine through twelve.

Passed the Senate June 8, 1975.
Passed the House June 7, 1975.
Approved by the Governor June 26, 1975.
Filed in Office of Secretary of State June 27, 1975.

CHAPTER 249

[Engrossed Senate Bill No. 2886]

CAPITAL CAMPUS FACILITIES —
GENERAL OBLIGATION BOND FINANCING

AN ACT Relating to the support of state government; providing for the planning, acquisition, construction, remodeling, furnishing, and equipping of state buildings and facilities, together with all improvements and enhancements thereto; providing for the financing thereof by the issuance of bonds and anticipation notes; authorizing certain charges against state agencies; creating new sections; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of providing funds for the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, and fixed equipment of capital campus facilities and