

parties in any hearings or proceedings taken under this section, including any parties who request notice of any proceedings.

Any rules adopted under this section and any devices employed under section 2 of this act shall conform to the national standards established by the current manual, including any future revisions, on the Uniform Traffic Control Devices as approved by the American National Standards Institute as adopted by the federal highway administrator of the United States department of transportation.

Rules adopted by the commission shall specifically prescribe the duties, procedures, and equipment to be used by the flagpersons required by section 2 of this act.

Sections 1 through 3 of this act and rules adopted thereunder shall be enforced by the commission under the provisions of chapter 81.04 RCW: PROVIDED, That rules adopted by the commission shall recognize that cities with a population in excess of four hundred thousand are responsible for specific public thoroughfares and have the specific responsibility and authority for determining the practices relating to safeguarding the public during construction, repair, and maintenance activities.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act shall be added to chapter 81.53 RCW.

NEW SECTION. Sec. 5. 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 April 14, 1977.

Passed the Senate May 26, 1977.

Approved by the Governor June 6, 1977.

Filed in Office of Secretary of State June 6, 1977.

CHAPTER 169

[Substitute House Bill No. 472]

REGIONAL UNIVERSITIES AND THE EVERGREEN STATE COLLEGE

AN ACT Relating to higher education; amending section 2, chapter 194, Laws of 1937 and RCW 17.08.020; amending section 6, chapter 152, Laws of 1919 and RCW 17.12.060; amending section 2, chapter 156, Laws of 1947 and RCW 17.24.110; amending section 2, chapter 216, Laws of 1941 and RCW 27.44.020; amending section 28B.10.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.020; amending section 4, chapter 176, Laws of 1974 ex. sess. and RCW 28B.10.025; amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050; amending section 28B.10.140, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.140; amending section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 15, Laws of 1970 ex. sess. and RCW 28B.10.280; amending section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290; amending section 28B.10.300, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.10.300; amending section 1, chapter 258, Laws of 1971 ex. sess. and RCW 28B.10.350; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; amending section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.405; amending section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.410; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.415; amending section 5, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.417; amending section 28B.10.420, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.420; amending section 28B.10.500, chapter 223,

Laws of 1969 ex. sess. and RCW 28B.10.500; amending section 28B.10.520, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.520; amending section 28B.10.525, chapter 223, Laws of 1969 ex. sess. as amended by section 72, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.10.525; amending section 28B.10.550, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.550; amending section 28B.10.560, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.560; amending section 1, chapter 81, Laws of 1975-'76 2nd ex. sess. and RCW 28B.10.567; amending section 28B.10.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.600; amending section 28B.10.605, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.605; amending section 28B.10.640, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.640; amending section 28B.10.650, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.650; amending section 28B.10.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.700; amending section 2, chapter 28, Laws of 1971 ex. sess. and RCW 28B.10.703; amending section 1, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.005; amending section 28B.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020; amending section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; amending section 28B.15.600, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.15.600; amending section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020; amending section 2, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.020; amending section 4, chapter 277, Laws of 1969 ex. sess. as amended by section 4, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.040; amending section 28B.40.010, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.010; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 62, Laws of 1973 and RCW 28B.40.100; amending section 28B.40.105, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.105; amending section 28B.40.110, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.110; amending section 28B.40.120, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.120; amending section 28, chapter 15, Laws of 1970 ex. sess. and RCW 28B.40.190; amending section 28B.40.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.200; amending section 28B.40.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.220; amending section 28B.40.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.230; amending section 28B.40.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.300; amending section 28B.40.305, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.305; amending section 28B.40.310, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.310; amending section 28B.40.315, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.315; amending section 28B.40.350, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.350; amending section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 3, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.40.361; amending section 28B.40.370, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.370; amending section 28B.40.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 147, chapter 275, Laws of 1975 1st ex. sess. and RCW 28B.40.380; amending section 28B.40.390, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.390; amending section 28B.40.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.700; amending section 28B.40.710, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.710; amending section 28B.40.720, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.720; amending section 28B.40.730, chapter 223, Laws of 1969 ex. sess. as last amended by section 30, chapter 56, Laws of 1970 ex. sess. and RCW 28B.40.730; amending section 28B.40.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.750; amending section 28B.40.751, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.751; amending section 28B.40.760, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.760; amending section 28B.40.770, chapter 223, Laws of 1969 ex. sess. as last amended by section 31, chapter 56, Laws of 1970 ex. sess. and RCW 28B.40.770; amending section 28B.40.780, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.780; amending section 28B.40.790, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.790; amending section 7, chapter 66, Laws of 1970 ex. sess. and RCW 39.90.060; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 33, Laws of 1973 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as amended by section 2, chapter 33, Laws of 1973 and RCW 40.04.090; amending section 4, chapter 233, Laws of 1963 and RCW 40.06.040; amending section 5, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.515; amending section 6, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.516; amending section 7, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.517; amending section 9, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.519; amending section 10, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.520; amending section 11, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.521; amending section 1, chapter 142, Laws of 1965 ex. sess. as amended by section 3, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.010; amending section 43.79.150, chapter 8, Laws of 1965

and RCW 43.79.150; amending section 43.79.180, chapter 8, Laws of 1965 and RCW 43.79.180; amending section 43.79.304, chapter 8, Laws of 1965 and RCW 43.79.304; amending section 43.79.314, chapter 8, Laws of 1965 and RCW 43.79.314; amending section 43.79.324, chapter 8, Laws of 1965 and RCW 43.79.324; amending section 1, chapter 248, Laws of 1969 ex. sess. as amended by section 9, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.195; amending section 69.32.030, chapter 27, Laws of 1959 and RCW 69.32.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; amending section 5, chapter 51, Laws of 1923 and RCW 87.25.050; directing the recodification of certain sections hereof; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereto, chapter 28B.35 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; repealing section 28B.10.015, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.015; repealing section 28B.40.115, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.115; repealing section 28B.40.130, chapter 223, Laws of 1969 ex. sess., section 25, chapter 75, Laws of 1977 and RCW 28B.40.130; repealing section 1, chapter 232, Laws of 1975 1st ex. sess. and RCW 28B.40.205; repealing section 2, chapter 196, Laws of 1969 ex. sess. and RCW 28B.40.225; repealing section 28B.40.400, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.400; repealing section 43.92.050, chapter 8, Laws of 1965 and RCW 43.92.050; and repealing section 3, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.030.

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.10 RCW a new section to read as follows:

For the purposes of this title:

(1) "State universities" means the University of Washington and Washington State University.

(2) "Regional universities" means Western Washington University at Bellingham, Central Washington University at Ellensburg, and Eastern Washington University at Cheney.

(3) "State college" means The Evergreen State College in Thurston county.

(4) "Institutions of higher education" or "postsecondary institutions" means the state universities, the regional universities, The Evergreen State College, and the community colleges.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.35 RCW a new section to read as follows:

The primary purposes of the regional universities shall be to offer undergraduate and graduate education programs through the master's degree, including programs of a practical and applied nature, directed to the educational and professional needs of the residents of the regions they serve; to act as receiving institutions for transferring community college students; and to provide extended occupational and complementary studies programs that continue or are otherwise integrated with the educational services of the region's community colleges.

No college shall be eligible for designation as a regional university until it has been in operation for at least twenty years and has been authorized to offer master's degree programs in more than three fields.

Sec. 3. Section 2, chapter 194, Laws of 1937 and RCW 17.08.020 are each amended to read as follows:

Upon petition of registered land owners representing not less than five percent of the number of farms in the county as shown by the last United States census, the boards of county commissioners of the respective counties and the director of the state department of agriculture shall thoroughly investigate, which investigation shall include a public hearing, notice of which shall be posted under the direction of

the director of the state department of agriculture, in at least five conspicuous places within the posted area at least fifteen days prior to the hearing. If such investigation shall indicate a need therefor there shall be created, by a regularly promulgated order, a weed extermination area or areas, within their counties or within the state of Washington for the purpose of destroying, preventing, and exterminating any particular weed, weeds or plants, or all weeds or plants, which are now or may hereafter be classed by the agricultural experiment station of (~~the state college of~~) Washington State University as noxious or poison weeds or plants detrimental to agriculture or to livestock, when the boards of county commissioners and the director of the department of agriculture of the state of Washington find the creation of such an area and the extermination of noxious or poison weeds or plants growing thereon to be in the interest of the general public welfare of their respective counties or of the state of Washington, and when such investigation shows that conditions are such as to prevent the organization of a weed district in the manner prescribed in RCW 17.04.010 through (~~17.04.140~~) 17.04.070, 17.04.240 and 17.04.250. If the boards of county commissioners and the director of the state department of agriculture cannot agree on the establishment or in other matters pertaining to weed extermination areas, the decision of the director shall be final. Upon the establishing of any weed extermination area or areas as provided in this section, the boards of county commissioners and the director of the state department of agriculture shall cause this fact to be published in a newspaper published in the county in which such weed extermination area is situated and of general circulation in such county and such notice shall state the boundaries of the weed extermination area so established. A weed extermination area when established as provided herein shall be maintained as such for a period of not less than five years. Any weed district organized or reorganized as provided in RCW 17.04.010 through (~~17.04.140~~) 17.04.070, 17.04.240 and 17.04.250 is hereby authorized to maintain its status and organization and to exercise all powers and subject to the limitations granted to it in prior sections of this chapter, even when part or all of such weed district is also included in a weed extermination area.

Sec. 4. Section 6, chapter 152, Laws of 1919 and RCW 17.12.060 are each amended to read as follows:

The agricultural expert in counties having an agricultural expert, shall under the direction of (~~the state college of~~) Washington State University have general supervision of the methods and means of preventing, destroying or exterminating any animals or rodents as herein mentioned within his county, and of how the funds of any pest district shall be expended to best accomplish the purposes for which such funds were raised; in counties having no such agricultural expert each county commissioner shall be within his respective commissioner district, ex officio supervisor, or the board may designate some such person to so act, and shall fix his compensation therefor. Whenever any member of the board shall act as supervisor he shall be entitled to his actual expenses and his per diem as county commissioner the same as if he were doing other county business.

Sec. 5. Section 2, chapter 156, Laws of 1947 and RCW 17.24.110 are each amended to read as follows:

The director of agriculture and the supervisor of horticulture are authorized to cooperate with any individual, group of citizens, municipalities and counties of the

state of Washington, (~~the state college of~~) Washington State University or any of its experiment stations, and/or with the secretary of agriculture of the United States and such agencies as the secretary may designate, and/or with any other state or states, agency or group the director of agriculture may designate, to carry out the provisions of RCW 17.24.105 through 17.24.140.

Sec. 6. Section 2, chapter 216, Laws of 1941 and RCW 27.44.020 are each amended to read as follows:

Any archaeologist or interested person may copy and examine such glyptic or painted records or examine the surface of any such cairn or grave, but no such record or archaeological material from any such cairn or grave may be removed unless the same shall be destined for exhibit and perpetual preservation in a duly recognized museum and permission for scientific research and removal of specimens of such records and material has been granted by the president of the University of Washington or (~~the~~) Washington State (~~College~~) University or a duly designated member of either president's faculty.

Sec. 7. Section 28B.10.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.020 are each amended to read as follows:

The boards of regents of the University of Washington and Washington State University, respectively, and the boards of trustees of Central Washington (~~State College~~) University, Eastern Washington (~~State College~~) University, Western Washington (~~State College~~) University, and The Evergreen State College, respectively, shall have the power and authority to acquire by exchange, gift, purchase, lease, or condemnation in the manner provided by chapter 8.04 RCW for condemnation of property for public use, such lands, real estate and other property, and interests therein as they may deem necessary for the use of said institutions respectively.

Sec. 8. Section 4, chapter 176, Laws of 1974 ex. sess. and RCW 28B.10.025 are each amended to read as follows:

The Washington state arts commission shall, in consultation with the boards of regents of the University of Washington and Washington State University and with the boards of trustees of the regional universities, The Evergreen State College(s) and the community college districts, determine the amount to be made available for the purchases of art for each project under the supervision of such boards of regents or trustees, and payment therefor shall be made in accordance with law. The selection of, commissioning of artist for, reviewing of design, execution and placement of, and the acceptance of works of art for such project shall be the responsibility of the Washington state arts commission in consultation with the board of regents or trustees having supervision of such project.

Sec. 9. Section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050 are each amended to read as follows:

Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities, the regional universities, and The Evergreen State College(s) shall determine entrance requirements for their respective institutions of higher education.

Sec. 10. Section 28B.10.140, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.140 are each amended to read as follows:

The University of Washington, Washington State University, Central Washington (~~(State College)~~) University, Eastern Washington (~~(State College)~~) University, Western Washington (~~(State College)~~) University, and The Evergreen State College are each authorized to train teachers and other personnel for whom teaching certificates or special credentials prescribed by the state board of education are required, for any grade, level, department or position of the public schools of the state, except that the training for superintendents, over and above that required for teaching certificates and principals' credentials, shall be given by the University of Washington and Washington State University only.

Sec. 11. Section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 15, Laws of 1970 ex. sess. and RCW 28B.10.280 are each amended to read as follows:

The boards of regents of the state universities and the boards of trustees of regional universities, The Evergreen State College(s), and community college districts may each create student loan funds, and qualify and participate in the National Defense Education Act of 1958 and such other similar federal student aid programs as are or may be enacted from time to time, and to that end may comply with all of the laws of the United States, and all of the rules, regulations and requirements promulgated pursuant thereto.

Sec. 12. Section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290 are each amended to read as follows:

Any state university, regional university, The Evergreen State College, or community college may honor credit cards issued by any bank within the state of Washington for tuition, fees, or any materials or supplies required for course study.

Sec. 13. Section 28B.10.300, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.10.300 are each amended to read as follows:

The boards of regents of the state universities and the boards of trustees of the regional universities and The Evergreen State College(s) are severally authorized to:

(1) Enter into contracts with persons, firms or corporations for the construction, installation, equipping, repairing, renovating and betterment of buildings and facilities for the following:

- (a) dormitories
- (b) hospitals
- (c) infirmaries
- (d) dining halls
- (e) student activities

(f) services of every kind for students, including, but not limited to, housing, employment, registration, financial aid, counseling, testing and offices of the dean of students

- (g) vehicular parking
- (h) student, faculty and employee housing and boarding;

(2) Purchase or lease lands and other appurtenances necessary for the construction and installation of such buildings and facilities and to purchase or lease

lands with buildings and facilities constructed or installed thereon suitable for the purposes aforesaid;

(3) Lease to any persons, firms, or corporations such portions of the campus of their respective institutions as may be necessary for the construction and installation of buildings and facilities for the purposes aforesaid and the reasonable use thereof;

(4) Borrow money to pay the cost of the acquisition of such lands and of the construction, installation, equipping, repairing, renovating, and betterment of such buildings and facilities, including interest during construction and other incidental costs, and to issue revenue bonds or other evidence of indebtedness therefor, and to refinance the same before or at maturity and to provide for the amortization of such indebtedness from services and activities fees or from the rentals, fees, charges, and other income derived through the ownership, operation and use of such lands, buildings, and facilities and any other dormitory, hospital, infirmary, dining, student activities, student services, vehicular parking, housing or boarding building or facility at the institution;

(5) Contract to pay as rental or otherwise the cost of the acquisition of such lands and of the construction and installation of such buildings and facilities on the amortization plan; the contract not to run over forty years;

(6) Expend on the amortization plan services and activities fees and/or any part of all of the fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of their respective institutions, 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, and to pledge such services and activities fees and/or the net income derived through the ownership, operation and use of any lands, buildings or facilities of the nature described in subsection (1) hereof for the payment of part or all of the rental, acquisition, construction, and installation, and the betterment, repair, and renovation or other contract charges, bonds or other evidence of indebtedness agreed to be paid on account of the acquisition, construction, installation or rental of, or the betterment, repair or renovation of, lands, buildings, facilities and equipment of the nature authorized by this section.

Sec. 14. Section 1, chapter 258, Laws of 1971 ex. sess. and RCW 28B.10.350 are each amended to read as follows:

When the cost to ~~((any))~~ The Evergreen State College, any regional university, or state university of any building, construction, renovation, remodeling or demolition other than ordinary maintenance or equipment repairs will equal or exceed the sum of ten thousand dollars, complete plans and specifications for such work shall be prepared and such work shall be put out for public bids ~~((in accordance with the provisions of chapter 39.19 [43.19] RCW))~~ and the contract shall be awarded to the lowest responsible bidder if in accordance with the bid specifications: PROVIDED, That when the estimated cost of such building, construction, renovation, remodeling or demolition equals or exceeds the sum of ten thousand dollars, such project shall be deemed a public works and "the prevailing rate of wage", under chapter 39.12 RCW shall be applicable thereto.

In the event of any emergency when the public interest or property of The Evergreen State College, regional university, or state university would suffer material injury or damage by delay, the president of such college or university may declare the existence of such an emergency and reciting the facts constituting the same may waive the requirements of this section with reference to any contract in order to correct the condition causing the emergency: PROVIDED, That an "emergency", for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the ~~((state college or))~~ institution of higher education in the absence of prompt remedial action or a condition which immediately impairs the institution's ability to perform its educational obligations.

Sec. 15. Section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400 are each amended to read as follows:

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College~~((s))~~, and the state board for community college education are authorized and empowered:

(1) To assist the faculties and such other employees as any such board may designate in the purchase of old age annuities or retirement income plans under such rules and regulations as any such board may prescribe. County agricultural agents, home demonstration agents, 4-H club agents, and assistant county agricultural agents paid jointly by the Washington State University and the several counties shall be deemed to be full time employees of the Washington State University for the purposes hereof;

(2) To provide, under such rules and regulations as any such board may prescribe for the faculty members or other employees under its supervision, for the retirement of any such faculty member or other employee on account of age or condition of health, retirement on account of age to be not earlier than the sixty-fifth birthday: PROVIDED, That such faculty member or such other employee may elect to retire at the earliest age specified for retirement by federal social security law: PROVIDED FURTHER, That any supplemental payment authorized by subsection (3) of this section and paid as a result of retirement earlier than age sixty-five shall be at an actuarially reduced rate;

(3) To pay to any such retired person or his surviving spouse, each year after his retirement, an amount which, when added to the amount of such annuity or retirement income plan received by him or his surviving spouse in such year, will not exceed fifty percent of the average annual salary paid to such retired person for his highest two consecutive years of full time service at an institution of higher education: PROVIDED, HOWEVER, That if such retired person prior to his retirement elected a supplemental payment survivors option, any such supplemental payments to such retired person or his surviving spouse shall be at actuarially reduced rates: PROVIDED FURTHER, That if a faculty member or other employee of the University of Washington or Washington State University who is a participant in a retirement plan authorized by this section dies, or has died before retirement but after becoming eligible for retirement on account of age, the surviving spouse shall be entitled to receive the supplemental payment authorized by this subsection (3) of this section to which such surviving spouse would have been entitled had said

deceased faculty member or other employee retired on the date of death after electing a supplemental payment survivors option.

Sec. 16. Section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.405 are each amended to read as follows:

Members of the faculties and such other employees as are designated by the boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College((s)), or the state board for community college education shall be required to contribute not less than five percent of their salaries during each year of full time service after the first two years of such service toward the purchase of such annuity or retirement income plan; such contributions may be in addition to federal social security tax contributions, if any.

Sec. 17. Section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.410 are each amended to read as follows:

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College((s)), or the state board for community college education shall pay not more than one-half of the annual premium of any annuity or retirement income plan established under the provisions of RCW 28B.10.400 as now or hereafter amended (~~(in section 1, chapter 149, Laws of 1973 1st ex. sess.)~~). Such contribution shall not exceed ten percent of the salary of the faculty member or other employee on whose behalf the contribution is made. This contribution may be in addition to federal social security tax contributions made by the boards, if any.

Sec. 18. Section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.415 are each amended to read as follows:

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College((s)), or the state board for community college education shall not pay any amount to be added to the annuity or retirement income plan of any retired person who has served for less than ten years in one or more of the state institutions of higher education. In the case of persons who have served more than ten years but less than twenty-five years no amount shall be paid in excess of four percent of the amount authorized in subdivision (3) of RCW 28B.10.400 as (~~(amended in section 1, chapter 149, Laws of 1973 1st ex. sess.)~~) now or hereafter amended, multiplied by the number of years of full time service rendered by such person.

Sec. 19. Section 5, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.417 are each amended to read as follows:

(1) A faculty member or other employee designated by the board of trustees of (~~(his respective)~~) the applicable regional university or of The Evergreen State College as being subject to an annuity or retirement income plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system, shall retain credit for such service in the Washington state teachers' retirement system and except as provided in subsection (2) of this section, shall leave his or her accumulated contributions in the teachers' retirement fund. Upon his or her

attaining eligibility for retirement under the Washington state teachers' retirement system, such faculty member or other employee shall receive from the Washington state teachers' retirement system a retirement allowance consisting of an annuity which shall be the actuarial equivalent of his or her accumulated contributions at his or her age when becoming eligible for such retirement and a pension for each year of creditable service established and retained at the time of said designation as provided in RCW 41.32.497 as now or hereafter amended. Anyone who on July 1, 1967, was receiving pension payments from the teachers' retirement system based on thirty-five years of creditable service shall thereafter receive a pension based on the total years of creditable service established with the retirement system: PROVIDED, HOWEVER, That any such faculty member or other employee who, upon attainment of eligibility for retirement under the Washington state teachers' retirement system, is still engaged in public educational employment, shall not be eligible to receive benefits under the Washington state teachers' retirement system until he or she ceases such public educational employment. Any retired faculty member or other employee who enters service in any public educational institution shall cease to receive pension payments while engaged in such service: PROVIDED FURTHER, That such service may be rendered up to seventy-five days in a school year without reduction of pension.

(2) A faculty member or other employee designated by the board of trustees of ((his respective)) the applicable regional university or of The Evergreen State College as being subject to the annuity and retirement income plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system may, at his or her election and at any time, on and after midnight June 10, 1959, terminate his or her membership in the Washington state teachers' retirement system and withdraw his or her accumulated contributions and interest in the teachers' retirement fund upon written application to the board of trustees of the Washington state teachers' retirement system. Faculty members or other employees who withdraw their accumulated contributions, on and after the date of withdrawal of contributions, shall no longer be members of the Washington state teachers' retirement system and shall forfeit all rights of membership, including pension benefits, theretofore acquired under the Washington state teachers' retirement system.

Sec. 20. Section 28B.10.420, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.420 are each amended to read as follows:

Faculty members or other employees designated by the boards of regents of the state universities, the boards of trustees of the regional universities or of The Evergreen State College((s)), or the state board for community college education pursuant to RCW 28B.10.400 through 28B.10.420 as now or hereafter amended shall be retired from their employment with their institutions of higher education not later than the end of the academic year next following their seventieth birthday.

Sec. 21. Section 28B.10.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.500 are each amended to read as follows:

No regent of the state universities, or trustee of the regional universities or of The Evergreen State College((s)) shall be removed during the term of office for which appointed, excepting only for misconduct or malfeasance in office, and then

only in the manner hereinafter provided. Before any regent or trustee may be removed for such misconduct or malfeasance, a petition for removal, stating the nature of the misconduct or malfeasance of such regent or trustee with reasonable particularity, shall be signed and verified by the governor and served upon such regent or trustee. Said petition, together with proof of service of same upon such regent or trustee, shall forthwith be filed with the clerk of the supreme court. The chief justice of the supreme court shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of hearing, which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the board by the tribunal shall disqualify such member for reappointment.

Sec. 22. Section 28B.10.520, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.520 are each amended to read as follows:

Each member of a (~~university~~) board of regents or (~~college~~) board of trustees of a university or other state institution of higher education, before entering upon his duties, shall take and subscribe an oath to discharge faithfully and honestly his duties and to perform strictly and impartially the same to the best of his ability, such oath to be filed with the secretary of state.

Sec. 23. Section 28B.10.525, chapter 223, Laws of 1969 ex. sess. as amended by section 72, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.10.525 are each amended to read as follows:

Each member of a (~~university~~) board of regents or (~~college~~) board of trustees of a university or other state institution of higher education, shall be entitled to receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended for each day or major portion thereof in which he is actually engaged in business of the board.

Sec. 24. Section 28B.10.550, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.550 are each amended to read as follows:

The boards of regents of the state universities, and the boards of trustees of the regional universities or of The Evergreen State College(~~s~~), acting independently and each on behalf of its own institution:

- (1) May each establish a police force for its own institution, which force shall function under such conditions and regulations as the board prescribes; and
- (2) May supply appropriate badges and uniforms indicating the positions and authority of the members of such police force.

Sec. 25. Section 28B.10.560, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.560 are each amended to read as follows:

The boards of regents of the state universities, and the boards of trustees of the regional universities and of The Evergreen State College(~~s~~), acting independently and each on behalf of its own institution, may each establish and promulgate rules and regulations governing pedestrian traffic and vehicular traffic and parking upon state lands devoted mainly to the educational or research activities of its own institution.

Sec. 26. Section 1, chapter 81, Laws of 1975-'76 2nd ex. sess. and RCW 28B.10.567 are each amended to read as follows:

The boards of regents of the state universities and board of trustees of the regional universities and the board((s)) of trustees of The Evergreen State College((s)) are authorized and empowered, under such rules and regulations as any such board may prescribe for the duly sworn police officers employed by any such board as members of a police force established pursuant to RCW 28B.10.550, to provide for the payment of death or disability benefits or medical expense reimbursement for death, disability, or injury of any such duly sworn police officer who, in the line of duty, loses his life or becomes disabled or is injured, and for the payment of such benefits to be made to any such duly sworn police officer or his surviving spouse or the legal guardian of his child or children, as defined in RCW 41.26.030(7), or his estate: PROVIDED, That the duty-related benefits authorized by this section shall in no event be greater than the benefits authorized on June 25, 1976 for duty-related death, disability, or injury of a law enforcement officer under chapter 41.26 RCW: PROVIDED FURTHER, That the duty-related benefits authorized by this section shall be reduced to the extent of any amounts received or eligible to be received on account of the duty-related death, disability, or injury to any such duly sworn police officer, his surviving spouse, the legal guardian of his child or children, or his estate, under workmen's compensation, social security including the changes incorporated under Public Law 89-97 as now or hereafter amended, or disability income insurance and health care plans under chapter 41.05 RCW.

Sec. 27. Section 28B.10.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.600 are each amended to read as follows:

The boards of regents of the state universities are each authorized to enter into agreements with the board of directors of any school district in this state whereby one or more of the public schools operated by such district may be used by the university for the purpose of training students at said university as teachers, supervisors, principals, or, superintendents. The boards of trustees of the regional universities and of The Evergreen State College((s)) are authorized to enter into similar agreements for the purpose of training students at (~~the state colleges~~) their institutions as teachers, supervisors, or principals.

Sec. 28. Section 28B.10.605, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.605 are each amended to read as follows:

The financing and the method of organization and administration of such a training program operated by agreement between a state university board of regents or a regional university board of trustees or The Evergreen State College board of trustees, and the board of directors of any school district, shall be determined by agreement between them.

Sec. 29. Section 28B.10.640, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.640 are each amended to read as follows:

The associated students of the University of Washington, the associated students of Washington State University, the student associations of the state community colleges and the student associations of the regional universities and of The Evergreen State College((s)) shall contract for all purchases for printing of athletic programs, athletic tickets, athletic press brochures, yearbooks, magazines, newspapers, and letting of concessions, exceeding one thousand dollars, notice of call for

bid on the same to be published in at least two newspapers of general circulation in the county wherein the institution is located two weeks prior to the award being made. The contract shall be awarded to the lowest responsible bidder, if the price bid is fair and reasonable and not greater than the market value and price, and if the bid satisfactorily covers the quality, design, performance, convenience and reliability of service of the manufacturer and/or dealer. The aforesaid student associations may require such security as they deem proper to accompany the bids submitted, and they shall also fix the amount of the bond or other security that shall be furnished by the person to whom the contract is awarded. Such student associations may reject any or all bids submitted, if for any reason it is deemed for the best interest of their organizations to do so and readvertise in accordance with the provisions of this section. The student associations may reject the bid of any person who has had a prior contract, and who did not, in its opinion, faithfully comply with its terms: PROVIDED, That nothing in this section shall apply to printing done on presses owned and operated by the associated students of the University of Washington, the associated students of Washington State University or the student associations of the regional universities or of The Evergreen State College(s) or community colleges, or to printing done on presses owned or operated by their respective institutions.

Sec. 30. Section 28B.10.650, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.650 are each amended to read as follows:

The boards of regents of the state universities and the boards of trustees of the regional universities and of The Evergreen State College(s) may grant sabbatical and other leaves to faculty members in accordance with regulations adopted by the respective governing boards and with such remunerations as the respective boards may prescribe.

Sec. 31. Section 28B.10.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.700 are each amended to read as follows:

The state board for community college education, the boards of trustees of the regional universities and of The Evergreen State College(s), and the boards of regents of the state universities, with appreciation of the legislature's desire to emphasize physical education courses in their respective institutions, shall provide for the same, being cognizant of legislative guide lines put forth in RCW 28A.05.040 relating to physical education courses in high schools.

Sec. 32. Section 2, chapter 28, Laws of 1971 ex. sess. and RCW 28B.10.703 are each amended to read as follows:

The governing boards of each of the state universities, the regional universities, The Evergreen State College(s), and community colleges in addition to their other duties prescribed by law shall have the power and authority to establish programs for intercollegiate athletic competition. Such competition may include participation as a member of an athletic conference or conferences, in accordance with conference rules.

Sec. 33. Section 1, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.005 are each amended to read as follows:

(1) "Colleges and universities" for the purposes of this chapter shall mean Central Washington (~~State College~~) University at Ellensburg, Eastern

Washington (~~(State College)~~) University at Cheney, Western Washington (~~(State College)~~) University 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.

(2) "State universities" for the purposes of this chapter shall mean the University of Washington and Washington State University.

(3) "Regional universities" for the purposes of this chapter shall mean Central Washington University, Eastern Washington University and Western Washington University.

Sec. 34. Section 28B.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020 are each amended to read as follows:

The term "general tuition fees" as used in this chapter shall mean the general tuition fees charged students registering at the state's regional universities, The Evergreen State College((s)), and the state universities for quarters or semesters other than the summer session, which fees are to be used as follows: At the University of Washington, solely for the purposes provided in RCW 28B.15.210; at Washington State University, solely for the purposes provided in RCW 28B.15.310; at each of the regional universities and at The Evergreen State College((s)), solely for the purposes provided in RCW 28B.40.370; and at the community colleges, for the purposes provided in RCW 28B.50.320, 28B.50.360 and 28B.50.370 as now or hereafter amended.

Sec. 35. Section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041 are each reenacted and amended 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 community colleges, regional universities, The Evergreen State College((s)), and state 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 community colleges, The Evergreen State College((s)), the regional universities, or the state universities for the express purpose of funding student activities and programs of their particular institution. Student activity fees, student use fees, student building use fees, special student fees, or other similar fees charged to all full time students, or to all students, as the case may be, registering at the state's colleges or universities and pledged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 as now or hereafter amended, shall be included within and deemed to be services and activities fees.

Sec. 36. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 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)~~) regional and state universities and at The Evergreen State College shall charge to and collect from each of the students registering at the particular institution such general tuition fees, operating fees, services and activities fees, and

other fees as such board shall in its discretion determine: PROVIDED, That such general tuition fees and 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. 37. Section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st 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 state universities may exempt the following classes of persons from the payment of general tuition fees, 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. (4) Children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 38. Section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400 are each amended to read as follows:

The board of trustees of Eastern Washington (~~((State College))~~ University, Central Washington (~~((State College))~~ University, Western Washington (~~((State College))~~ University 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))~~ institutions general tuition fee, operating fees, and services and activities fees as follows:

- (1) Full time resident students:
 - (a) General tuition fee, not less than twenty-five dollars;
 - (b) Services and activities fees, not less than forty-eight dollars and fifty cents;
 and
 - (c) Operating fees, an amount which, together with such general tuition fee and services and activities fees, will not be more than one hundred sixty-nine dollars.
- (2) Full time nonresident students:
 - (a) General tuition fee, not less than ninety-six dollars;
 - (b) Services and activities fees, not less than forty-eight dollars and fifty cents;
 and
 - (c) Operating fees, an amount which, together with such general tuition fee and services and activities fees, will not be more than four hundred fifty-three dollars.

Sec. 39. Section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530 are each amended 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~~) regional universities, The Evergreen State College, or state 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. 40. Section 28B.15.600, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973 1st 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 regional universities and The Evergreen State College(s) and community colleges may refund or cancel in full general tuition fees, 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. 41. Section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) "Institutions of higher education" are the University of Washington, Washington State University, Central Washington (~~(State College)~~) University, Eastern Washington (~~(State College)~~) University, Western Washington (~~(State College)~~) University, The Evergreen State College, and the various state community colleges;

(2) "Board" means the higher education personnel board established under the provisions of RCW 28B.16.060;

(3) "Related boards" means the state board for community college education and the higher education personnel board; and such other boards, councils and commissions related to higher education as may be established;

(4) "Classified service" means all positions at the institutions of higher education subject to the provisions of this chapter;

(5) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;

(6) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required.

Sec. 42. Section 2, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.020 are each amended to read as follows:

The words used in this chapter shall have the meaning given in this section, unless the context clearly indicates otherwise:

(1) "Institutions of higher education" are the University of Washington, Washington State University, Central Washington (~~(State College)~~) University, Eastern Washington (~~(State College)~~) University, Western Washington (~~(State College)~~) University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as "institutions." The various state community colleges are sometimes referred to in this chapter as "community colleges."

(2) "Rule" means any order, directive, or regulation of any institution of higher education which affects the relationship of the general public with the institution, or the relationship of particular segments of the particular educational community such as students, faculty, or other employees, with the institution or with each other, (a) the violation of which subjects a person to a penalty or administrative sanction; or (b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or (c) which establishes, alters or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law. The term includes the amendment or repeal of a prior rule but does not include rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admission; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under this chapter unless otherwise required by law.

(3) "Contested case" means a formal or informal proceeding before an institution of higher education, division, department, office, or designated official or representative thereof in which an opportunity for hearing is required by law, constitutional rights, or institutional policy, prior or subsequent to the determination by the institution of the legal rights, duties, or privileges of specific parties.

Sec. 43. Section 4, chapter 277, Laws of 1969 ex. sess. as amended by section 4, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.040 are each amended to read as follows:

The council shall consist of members who are truly representative of the public, including the minority community, and shall be selected as follows:

Nine citizen members to be appointed by the governor and confirmed by the senate as representatives of the public at large, one of whom shall be a full time undergraduate student at the time of his or her appointment at a postsecondary educational institution; the superintendent of public instruction; one member of the executive branch of government appointed by the governor; one president of the public state universities, regional universities, and ((four-year)) The Evergreen State College((s-of-the-state)) who is the chairman of the council of presidents; the executive director of the state board for community college education; the executive director of the commission for vocational education; one president of the state's private universities or four-year colleges and one representative of postsecondary proprietary education, each appointed by the governor.

It shall be the duty of the director of the state board for community college education to represent not only the state board for community college education, but also all the community colleges in the state and their respective governing boards and he is further directed and charged to act as a liaison between the council and the state board for community college education and boards of trustees of the community college districts in the state.

It shall be the duty of the superintendent of public instruction to represent the common school system presenting such information to the council as may be of assistance in the development of overall educational plans and articulation between the common school and postsecondary systems of education.

It shall be the duty of the executive director of the commission for vocational education to represent vocational and technical education, presenting to the council such information regarding the state plan for vocational education and other data as may be of assistance in the development of overall educational plans.

NEW SECTION. Sec. 44. The regional universities shall be located and designated as follows: At Bellingham, Western Washington University; at Cheney, Eastern Washington University; at Ellensburg, Central Washington University.

NEW SECTION. Sec. 45. The government of each of the regional universities shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the second Monday in March next succeeding their appointment and until their successors are appointed and qualified. In case of a vacancy the governor shall fill the vacancy for the unexpired term of the trustee whose office has become vacant.

No more than the terms of two members will expire simultaneously on the second Monday of March in any one year.

NEW SECTION. Sec. 46. Each board of regional university trustees shall elect one of its members chairman, and it shall elect a secretary, who may or may not be a member of the board. Each board shall have power to adopt bylaws for its government and for the government of the school, which bylaws shall not be inconsistent with law, and to prescribe the duties of its officers, committees and employees. A majority of the board shall constitute a quorum for the transaction of all business.

NEW SECTION. Sec. 47. Each board of regional university trustees shall hold at least two regular meetings each year, at such times as may be provided by the board. Special meetings shall be held as may be deemed necessary, whenever called by the chairman or by a majority of the board. Public notice of all meetings shall be given in accordance with chapter 42.32 RCW.

NEW SECTION. Sec. 48. In addition to any other powers and duties prescribed by law, each board of trustees of the respective regional universities:

(1) Shall have full control of the regional university and its property of various kinds.

(2) Shall employ the president of the regional university, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the regional university, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the regional university and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the regional university.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the regional university.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to regional university purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the regional university programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the

terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the regional university.

NEW SECTION. Sec. 49. Each board of trustees of the regional universities may:

(1) Contract for such fire protection services as may be necessary for the protection and safety of the students, staff and property of the regional university;

(2) By agreement pursuant to the provisions of chapter 239, Laws of 1967 (chapter 39.34 RCW), as now or hereafter amended, join together with other agencies or political subdivisions of the state or federal government and otherwise share in the accomplishment of any of the purposes of subsection (1) of this section:

PROVIDED, HOWEVER, That neither the failure of the trustees to exercise any of its powers under this section nor anything herein shall detract from the lawful and existing powers and duties of political subdivisions of the state to provide the necessary fire protection equipment and services to persons and property within their jurisdiction.

NEW SECTION. Sec. 50. The degree of bachelor of arts or the degree of bachelor of science and/or the degree of bachelor of arts in education may be granted to any student who has completed a four-year course of study or the equivalent thereof in Central Washington University, Eastern Washington University, or Western Washington University.

NEW SECTION. Sec. 51. In addition to all other powers and duties given to them by law, Central Washington University, Eastern Washington University, and Western Washington University are hereby authorized to grant any degree through the master's degree to any student who has completed a program of study and/or research in those areas which are determined by the faculty and board of trustees of the regional university to be appropriate for the granting of such degree: PROVIDED, That any degree authorized under this section which has no fiscal impact shall be subject to the review and recommendation of the council for postsecondary education: PROVIDED FURTHER, That any degree permitted under this section having additional fiscal impact shall not be authorized prior to review and recommendation by the council for postsecondary education and approval of the legislature.

NEW SECTION. Sec. 52. In addition to all other powers and duties given to them by law, the boards of trustees of Central Washington University, Eastern Washington University, and Western Washington University may grant an associate degree in nursing to any student who has satisfactorily completed a two-year course of study or the equivalent thereof approved by the proper accrediting state agency.

NEW SECTION. Sec. 53. Every diploma issued by a regional university shall be signed by the chairman of the board of trustees and by the president of the regional university issuing the same, and sealed with the appropriate seal. In addition

to the foregoing, teaching certificates shall be countersigned by the state superintendent of public instruction. Every certificate shall specifically state what course of study the holder has completed and for what length of time such certificate is valid in the schools of the state.

NEW SECTION. Sec. 54. A model school or schools or training departments may be provided for each regional university, in which students, before graduation, may have actual practice in teaching or courses relative thereto under the supervision and observation of critic teachers. All schools or departments involved herewith shall organize and direct their work being cognizant of public school needs.

NEW SECTION. Sec. 55. The board of trustees of any regional university having a model school or training department as authorized by section 54 of this 1977 amendatory act, shall, on or before the first Monday of September of each year, file with the board of the school district or districts in which such regional university is situated, a certified statement showing an estimate of the number of public school pupils who will be required to make up such model school and specifying the number required for each grade for which training for students is required.

NEW SECTION. Sec. 56. It shall thereupon be the duty of the board of the school district or districts with which such statement has been filed, to apportion for attendance to the said model school or training department, a sufficient number of pupils from the public schools under the supervision of said board as will furnish to such regional university the number of pupils required in order to maintain such facility: **PROVIDED**, That the president of said regional university may refuse to accept any such pupil as in his judgment would tend to reduce the efficiency of said model school or training department.

NEW SECTION. Sec. 57. Annually, on or before the date for reporting the school attendance of the school district in which said model school or training department is situated, for the purpose of taxation for the support of the common schools, the board of trustees of each such regional university having supervision over the same shall file with the board of the school district or districts, in which such model school or training department is situated, a report showing the number of common school pupils at each such model school or training department during the school year last passed, and the period of their attendance in the same form that reports of public schools are made. Any superintendent of the school district so affected shall, in reporting the attendance in said school district, segregate the attendance at said model school or training department, from the attendance in the other schools of said district: **PROVIDED**, That attendance shall be credited, if credit be given therefor, to the school district in which the pupil resides.

NEW SECTION. Sec. 58. Any student may be suspended or expelled from any regional university who is found to be guilty of an infraction of the regulations of the institution.

NEW SECTION. Sec. 59. The boards of trustees of each regional university may exempt from the payment of general tuition, 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, and all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

NEW SECTION. Sec. 60. In order to assist teachers in service, candidates for certificates, and others, each regional university shall establish and maintain an extension department. The work of the department may supplement the previous training of teachers in service and comprise subjects included in the regional university curriculum, or otherwise.

In order to prevent overlapping of territory in connection with this extension work, the state board of education shall district the state making a definite assignment of territory to each institution: PROVIDED, That such assignments of territory shall not preclude any other contractual arrangements initiated by a regional university to carry out its duties under this section. The head of the extension department of each regional university, after being assigned specific territory, shall cooperate with the several educational service district superintendents or educational executive officers of the educational service districts in making public the courses or seminars available for each year, such information being forwarded by the head of the extension department to the state superintendent of public instruction.

A report of the work accomplished by any such extension department during the preceding school year shall be made by the board of trustees upon request of the governor or any member of the legislature.

NEW SECTION. Sec. 61. The president of each regional university shall have general supervision of the university and see that all laws and rules of the board of trustees are observed.

NEW SECTION. Sec. 62. It shall be the duty of the presidents of the several regional universities to meet at least once annually to consult with each other relative to the management of the regional universities.

NEW SECTION. Sec. 63. Sections 44 through 62 of this 1977 amendatory act are added to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof, chapter 28B.35 RCW.

Sec. 64. Section 28B.40.010, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.010 are each amended to read as follows:

The only state college(~~s shall be located and designated as follows: At Bellingham, Western Washington State College; at Cheney, Eastern Washington State College; at Ellensburg, Central Washington State College;~~) in Washington shall be in Thurston county, The Evergreen State College.

Sec. 65. Section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 62, Laws of 1973 and RCW 28B.40.100 are each amended to read as follows:

The government of ~~((each of))~~ The Evergreen State College~~((s))~~ shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the second Monday in March next succeeding their appointment and until their successors are appointed and qualified. In case of a vacancy the governor shall fill the vacancy for the unexpired term of the trustee whose office has become vacant.

No more than the terms of two members will expire simultaneously on the second Monday of March in any one year.

Sec. 66. Section 28B.40.105, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.105 are each amended to read as follows:

~~((Each))~~ The board of The Evergreen State College trustees shall elect one of its members chairman, and it shall elect a secretary, who may or may not be a member of the board. ~~((Each))~~ The board shall have power to adopt bylaws for its government and for the government of the school, which bylaws shall not be inconsistent with law, and to prescribe the duties of its officers, committees and employees. A majority of the board shall constitute a quorum for the transaction of all business.

Sec. 67. Section 28B.40.110, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.110 are each amended to read as follows:

~~((Each))~~ The board of The Evergreen State College trustees shall hold at least two regular meetings each year, at such times as may be provided by the board. Special meetings shall be held as may be deemed necessary, whenever called by the chairman or by a majority of the board. Public notice of all meetings shall be given in accordance with chapter 42.32 RCW.

Sec. 68. Section 28B.40.120, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.120 are each amended to read as follows:

In addition to any other powers and duties prescribed by law, ~~((each))~~ the board of trustees of The ~~((respective))~~ Evergreen State College~~((s))~~:

(1) Shall have full control of the state college and its property of various kinds.
 (2) Shall employ the president of the state college, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the state college, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the college and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the college.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the college.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to college purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the college programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the college.

Sec. 69. Section 28, chapter 15, Laws of 1970 ex. sess. and RCW 28B.40.190 are each amended to read as follows:

~~((Each))~~ The board of trustees of The Evergreen State College~~((s))~~ may:

(1) Contract for such fire protection services as may be necessary for the protection and safety of the students, staff and property of the college;

(2) By agreement pursuant to the provisions of chapter 239, Laws of 1967 (chapter 39.34 RCW), as now or hereafter amended, join together with other agencies or political subdivisions of the state or federal government and otherwise share in the accomplishment of any of the purposes of subsection (1) of this section:

PROVIDED, HOWEVER, That neither the failure of the trustees to exercise any of its powers under this section nor anything herein shall detract from the lawful and existing powers and duties of political subdivisions of the state to provide the necessary fire protection equipment and services to persons and property within their jurisdiction.

Sec. 70. Section 28B.40.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.200 are each amended to read as follows:

The degree of bachelor of arts or the degree of bachelor of science and/or the degree of bachelor of arts in education may be granted to any student who has completed a four-year course of study or the equivalent thereof in ~~((Central Washington State College, Eastern Washington State College, Western Washington State College or))~~ The Evergreen State College.

Sec. 71. Section 28B.40.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.220 are each amended to read as follows:

In addition to all other powers and duties given to them by law, the board~~((s))~~ of trustees of ~~((Central Washington State College, Eastern Washington State College, Western Washington State College, and))~~ The Evergreen State College may

grant an associate degree in nursing to any student who has satisfactorily completed a two-year course of study or the equivalent thereof approved by the proper accrediting state agency.

Sec. 72. Section 28B.40.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.230 are each amended to read as follows:

Every diploma issued by ((a)) The Evergreen State College shall be signed by the chairman of the board of trustees and by the president of the state college (~~issuing the same~~), and sealed with the appropriate seal. In addition to the foregoing, teaching certificates shall be countersigned by the state superintendent of public instruction. Every certificate shall specifically state what course of study the holder has completed and for what length of time such certificate is valid in the schools of the state.

Sec. 73. Section 28B.40.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.300 are each amended to read as follows:

A model school or schools or training departments may be provided for ((each)) The Evergreen State College, in which students, before graduation, may have actual practice in teaching or courses relative thereto under the supervision and observation of critic teachers. All schools or departments involved herewith shall organize and direct their work being cognizant of public school needs.

Sec. 74. Section 28B.40.305, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.305 are each amended to read as follows:

The board of trustees of ((any)) The Evergreen State College, if having a model school or training department as authorized by RCW 28B.40.300, shall, on or before the first Monday of September of each year, file with the board of the school district or districts in which such state college is situated, a certified statement showing an estimate of the number of public school pupils who will be required to make up such model school and specifying the number required for each grade for which training for students is required.

Sec. 75. Section 28B.40.310, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.310 are each amended to read as follows:

It shall thereupon be the duty of the board of the school district or districts with which such statement has been filed, to apportion for attendance to the said model school or training department, a sufficient number of pupils from the public schools under the supervision of said board as will furnish to ((such)) The Evergreen State College the number of pupils required in order to maintain such facility: PROVIDED, That the president of said state college may refuse to accept any such pupil as in his judgment would tend to reduce the efficiency of said model school or training department.

Sec. 76. Section 28B.40.315, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.315 are each amended to read as follows:

Annually, on or before the date for reporting the school attendance of the school district in which said model school or training department is situated, for the purpose of taxation for the support of the common schools, the board of trustees of ((each such)) The Evergreen State College, since having supervision over the same, shall file with the board of the school district or districts, in which such model school or training department is situated, a report showing the number of common

school pupils at each such model school or training department during the school year last passed, and the period of their attendance in the same form that reports of public schools are made. Any superintendent of the school district so affected shall, in reporting the attendance in said school district, segregate the attendance at said model school or training department, from the attendance in the other schools of said district: PROVIDED, That attendance shall be credited, if credit be given therefor, to the school district in which the pupil resides.

Sec. 77. Section 28B.40.350, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.350 are each amended to read as follows:

Any student may be suspended or expelled from ~~((any))~~ The Evergreen State College who is found to be ~~((immoral or))~~ guilty of an infraction of the regulations of the institution.

Sec. 78. Section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 3, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.40.361 are each amended to read as follows:

The boards of trustees of The Evergreen State College may exempt from the payment of general tuition, 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, and all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 79. Section 28B.40.370, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.370 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all general tuition fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.40.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its general tuition fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all general tuition fees and above described normal school fund revenues of such ~~((college))~~ institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington ~~((State College))~~ University bond retirement fund, the Central Washington ~~((State College))~~ University bond retirement fund, the Western Washington ~~((State College))~~ University bond retirement fund, or The Evergreen State College bond retirement fund respectively, which funds are hereby created in the state treasury, such funds

for the regional universities being redesignations for the Eastern Washington State College bond retirement fund, the Central Washington State College bond retirement fund, and the Western Washington State College bond retirement fund, respectively. The amounts deposited in the respective bond retirement funds shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by such ~~((colleges))~~ regional universities and The Evergreen State College as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee and above described normal school fund revenue bonds of its ~~((college))~~ institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All general tuition fees and above described normal school fund revenue not needed for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of general tuition fee or above described normal school fund revenue bond principal or interest shall be deposited in the Eastern Washington ~~((State College))~~ University capital projects account, the Central Washington ~~((State College))~~ University capital projects account, the Western Washington ~~((State College))~~ University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the general fund of the state treasury such funds for the regional universities being redesignations for the Eastern Washington State College capital projects account, the Central Washington State College capital projects account, and the Western Washington State College capital projects account, respectively. The sums deposited in the respective capital projects accounts shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law.

Sec. 80. Section 28B.40.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 147, chapter 275, Laws of 1975 1st ex. sess. and RCW 28B.40.380 are each amended to read as follows:

In order to assist teachers in service, candidates for certificates, and others, ~~((each))~~ The Evergreen State College shall establish and maintain an extension department. The work of the department may supplement the previous training of teachers in service and comprise subjects included in the state college curriculum, or otherwise.

In order to prevent overlapping of territory in connection with ~~((this))~~ extension work, the state board of education shall ~~((district the state making))~~ make a definite assignment of territory to ~~((each))~~ said institution: PROVIDED, That such assignment~~((s))~~ of territory shall not preclude any other contractual arrangements initiated by ~~((a))~~ The Evergreen State College to carry out its duties under this section. The head of the extension department of ~~((each))~~ the state college, after being assigned specific territory, shall cooperate with the several educational service

district superintendents or educational executive officers of the educational service districts in making public the courses or seminars available for each year, such information being forwarded by the head of the extension department to the state superintendent of public instruction.

A report of the work accomplished by any such extension department during the preceding school year shall be made by the board of trustees upon request of the governor or any member of the legislature.

Sec. 81. Section 28B.40.390, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.390 are each amended to read as follows:

The president of ~~((each))~~ The Evergreen State College shall have general supervision of the college and see that all laws and rules of the board of trustees are observed.

Sec. 82. Section 28B.40.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.700 are each amended to read as follows:

The boards of trustees of the ~~((state colleges))~~ regional universities and of The Evergreen State College are empowered in accordance with the provisions of RCW 28B.40.700 through 28B.40.790, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the aforementioned ~~((colleges))~~ universities and The Evergreen State College and to finance the payment thereof by bonds payable out of special funds from revenues hereafter derived from the payment of general tuition fees, gifts, bequests or grants and such additional funds as the legislature may provide.

Sec. 83. Section 28B.40.710, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.710 are each amended to read as follows:

The following terms, whenever used or referred to in RCW 28B.40.700 through 28B.40.790, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word "boards" means the boards of trustees of the regional universities and The Evergreen State College~~((s))~~.

(2) The words "general tuition fees" mean the general tuition fees charged students registering at each college, but shall not mean the special tuition or other fees charged such students or fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of the respective colleges, 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.

(3) The words "bond retirement funds" shall mean the special funds created by law and known as the Eastern Washington ~~((State College))~~ University bond retirement fund, Central Washington ~~((State College))~~ University bond retirement fund, Western Washington ~~((State College))~~ University bond retirement fund, and The Evergreen State College bond retirement fund, all as referred to in section 79 of this 1977 amendatory act.

(4) The word "bonds" means the bonds payable out of the bond retirement funds.

(5) The word "projects" means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of any of the aforementioned colleges authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

Sec. 84. Section 28B.40.720, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.720 are each amended to read as follows:

In addition to the powers conferred under existing law, each of the boards is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such buildings or other facilities of the university or college as are authorized by the legislature to be financed by the issuance and sale of bonds.

(2) To finance the same by the issuance of bonds secured by the pledge of any or all 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. 85. Section 28B.40.730, chapter 223, Laws of 1969 ex. sess. as last amended by section 30, chapter 56, Laws of 1970 ex. sess. and RCW 28B.40.730 are each amended to read as follows:

For the purpose of financing the cost of any projects, each of the boards 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 university or college or of the 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 university or college by the chairman of the board, attested by the secretary of the board, have the seal of the university or college 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;

(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.40.700 through 28B.40.790, as now or hereafter amended, 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 the general tuition fee shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) 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;

(c) A covenant that sufficient moneys may be transferred from the capital projects account of the university or college issuing the bonds to the bond retirement fund of such university or college when ordered by the board of trustees 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;

(d) 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 university or college issuing the bonds and shall be used solely for paying the costs of the projects.

Sec. 86. Section 28B.40.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.750 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 respective bond retirement fund of each university or college issuing bonds, the following:

(1) Amounts derived from general tuition fees as the board shall certify as necessary to prevent default in the payments required to be paid into such bond retirement fund;

(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 board shall undertake to charge and collect general tuition fees and to deposit the portion 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.

Sec. 87. Section 28B.40.751, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.751 are each amended to read as follows:

All moneys received from the lease or rental of lands set apart by the enabling act for state normal schools purposes; all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel, or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands, shall from time to time be paid into the state treasury and credited to the Eastern Washington (~~((State College))~~) University, Central Washington (~~((State College))~~) University, Western Washington (~~((State College))~~) University and The Evergreen State College accounts as herein provided to be expended for capital projects, and bond retirement purposes as set forth in RCW 28B.40.750, as now or hereafter amended. Eastern Washington (~~((State College))~~) University, Central Washington (~~((State College))~~) University, Western Washington (~~((State College))~~) University, and The Evergreen State College shall be credited with one-fourth of the total amount: PROVIDED, That Eastern Washington (~~((State College))~~) University, Central Washington (~~((State College))~~) University and Western Washington (~~((State College))~~) University shall each be credited with one-third of the total amount for so long as there remain unpaid and outstanding any bonds which are payable in whole or in part out of the moneys, interest or income described in this section.

Sec. 88. Section 28B.40.760, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.760 are each amended to read as follows:

The board of any such university or college is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the college's or universities' capital projects account to the college's or universities' bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds.

Sec. 89. Section 28B.40.770, chapter 223, Laws of 1969 ex. sess. as last amended by section 31, chapter 56, Laws of 1970 ex. sess. and RCW 28B.40.770 are each amended to read as follows:

Each board of trustees is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by RCW 28B.40.700 through 28B.40.790 as now or hereafter amended for the issuance of bonds. The refunding bonds

shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of the college or university of Washington issuing the bonds or the board thereof. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner, at such price and at such rate or rates of interest as it deems for the best interest of the college or university.

Sec. 90. Section 28B.40.780, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.780 are each amended to read as follows:

The bonds authorized to be issued pursuant to the provisions of RCW 28B.40.700 through 28B.40.790 as now or hereafter amended shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special funds created for their payment. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. RCW 28B.40.700 through 28B.40.790 as now or hereafter amended shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide for additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

Sec. 91. Section 28B.40.790, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.790 are each amended to read as follows:

RCW 28B.40.700 through 28B.40.790 as now or hereafter amended is concurrent with other legislation with reference to providing funds for the construction of buildings at the regional universities or The Evergreen State College(s) and is not to be construed as repealing or limiting any existing provision of law with reference thereto.

NEW SECTION. Sec. 92. Sections 28B.40.370 and 28B.40.700 through 28B.40.790 shall be recodified as part of chapter 28B.35 RCW and internal references therein or throughout the code thereto changed accordingly.

Sec. 93. Section 7, chapter 66, Laws of 1970 ex. sess. and RCW 39.90.060 are each amended to read as follows:

All debts, contracts and obligations heretofore made or incurred by or in favor of the state, state agencies, The Evergreen State College, community colleges, and regional and state universities, and the political subdivisions, municipal corporations and quasi municipal corporations of this state, are hereby declared to be legal and valid and of full force and effect from the date thereof, regardless of the interest rate borne by any such debts, contracts and obligations.

Sec. 94. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 33, Laws of 1973 and RCW 40.04.040 are each amended to read as follows:

Session laws shall be distributed, sold and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; six to the Library of Congress; one to each United States executive department as defined by section 1, title 5, of the United States Code; three to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; one to each United States

district court room within this state; one to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; one to the judge advocate's office at Fort Lewis; one to each member of the legislature, session law indexer, secretary and assistant secretary of the senate, chief clerk and the assistant chief clerk of the house of representatives, the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned; one copy each to the Olympia representatives of the Associated Press and the United Press; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; and two copies to the law libraries of any accredited law schools as are hereafter established in this state.

(2) Copies, for official use only, shall be distributed as follows: One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except the governor who shall receive three copies; one each to the adjutant general, the state historical society, the state bar association, and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room; one copy to each prosecuting attorney and one for each of his deputies.

Sufficient copies shall be furnished for the use of the supreme court and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the ~~((colleges of education (formerly called the normal schools)))~~ regional universities and to The Evergreen State College; one copy each to the president of the Washington State University and to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law in the counties of the first, second and third class; one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session.

It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them.

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be four dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 95. Section 5, chapter 150, Laws of 1941 as amended by section 2, chapter 33, Laws of 1973 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each member of the legislature, secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the ~~((colleges of education (formerly called the normal schools)))~~ regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) A set of the house and senate journals of the preceding general session, and of any intervening special session, shall be placed on the desk of each legislator for his use during the ensuing session, which shall be returned to the state law library at the expiration of the legislative session; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be fifteen dollars for those of the general sessions, and ten dollars for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 96. Section 4, chapter 233, Laws of 1963 and RCW 40.06.040 are each amended to read as follows:

The center shall enter into depository contracts with any municipal or county free library, The Evergreen State College, regional university, or state university library, the library of any privately incorporated college or university in this state,

the library of congress and the midwest inter-library center, and other state libraries. The requirements for eligibility to contract as a depository library shall be established by the state library commission upon recommendations of the state librarian. The standards shall include and take into consideration the type of library, available housing and space for the publications, the number and qualifications of personnel, and availability for public use.

Sec. 97. Section 5, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.515 are each amended to read as follows:

For the purposes of this chapter, unless a different meaning is plainly required by context:

(1) "Classified employees" shall mean all nonacademic employees of the University of Washington and the ~~((four "state colleges"))~~ regional universities and The Evergreen State College, as defined in RCW 28B.10.015 as now or hereafter amended, who are presently participating, or are presently eligible to participate, in the retirement plan of their employing education institution: PROVIDED, That the following nonacademic employees of the University of Washington shall not be included as classified employees for the purposes of this 1974 amendatory act: The president of the university; deans, directors, and chairmen of academic or research units; persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule; persons employed in a position primarily as an incident to and in furtherance of their education and training or the education and training of a spouse: PROVIDED FURTHER, That the following nonacademic employees of each of the ~~((four-state))~~ regional universities and The Evergreen State College((s)) shall not be included as classified employees for the purposes of this 1974 amendatory act: Presidents, academic vice presidents or provosts, deans, chairmen of academic departments, and executive heads of major academic divisions and their principal assistants.

(2) "Retirement plan" shall mean the retirement systems established by the board of regents of the University of Washington and the boards of trustees of each of the ~~((four-state))~~ regional universities and The Evergreen State College((s)) pursuant to authority heretofore conferred by law for the purpose of providing retirement income and related benefits to certain employees through private insurers.

(3) "Board" shall mean the retirement board as provided for in RCW 41.40.020, as now or hereafter amended.

(4) "Employer share" shall mean one-half or fifty percent of the total of any employee's accumulation and/or cash value in the contract(s) attributable to contributions made in accordance with the retirement plan.

(5) "Applicable income" shall mean that income which would have qualified as compensation earnable within the meaning of RCW 41.40.010(8) during each month of University of Washington, regional university, or state college service from the date of such person's initial participation in the retirement plan.

(6) "Contributing membership" shall mean that period of time during which an employee was making contributions under the retirement plan for purposes of being eligible for a retirement entitlement.

Sec. 98. Section 6, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.516 are each amended to read as follows:

(1) On and after May 6, 1974, and until January 1, 1975, classified employees presently members of the retirement plan may irrevocably transfer their years of contributing membership therein to the Washington public employees' retirement system, such transfer being subject to such conditions and limitations as hereinafter set forth in this 1974 amendatory act, including rules and regulations promulgated to effect the purposes of this 1974 amendatory act.

(2) All classified employees employed by the University of Washington or each of the ~~((four state))~~ regional universities or The Evergreen State College((s)) on and after May 6, 1974, and otherwise eligible shall become members of the Washington public employees' retirement system at such institution unless otherwise hereafter provided by law: PROVIDED, That persons who, immediately prior to the date of their hiring as classified employees, have for at least two consecutive years held membership in a retirement plan underwritten by the private insurer of the retirement plan of their respective educational institution may irrevocably elect to continue their membership in the retirement plan notwithstanding the provisions of this chapter, if such election is made within thirty days from the date of their hiring as classified employees. If such persons elect to become members of the public employees' retirement system, contributions by them and their employers shall be required from their first day of such employment.

Sec. 99. Section 7, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.517 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, upon election by a person to transfer his years of contributing membership to the Washington public employees' retirement system, as authorized in RCW 41.40.516(1), there shall be transferred from the contract(s) issued under the retirement plan to the Washington public employees' retirement system the amount which would have been paid, in employee and employer contributions, to the retirement system with interest (as computed by the retirement board) on the applicable income (as defined in RCW 41.40.515(5)) as provided by law and regulations promulgated pursuant thereto had the person been a member of the Washington public employees' retirement system during each month of contributing membership service at the University of Washington or the ~~((four))~~ regional universities or The Evergreen State College((s)) during which such person participated in the retirement plan.

(2) The board shall compute separately the employee and employer amounts that would have been paid, during the time of contributing membership, and which will now be required to be transferred to the Washington public employees' retirement system. The employee share shall be transferred from the accumulation and/or cash value in the contract(s) attributable to employee contributions made in accordance with the retirement plan. The employer share shall be transferred from the accumulation and/or cash value in the contract(s) attributable to University of Washington, regional university, or state college contributions made in accordance with the retirement plan.

Sec. 100. Section 9, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.519 are each amended to read as follows:

Any classified employee at the University of Washington, the regional universities, or The ~~((four))~~ Evergreen State College((s)) electing to transfer membership to the Washington public employees' retirement system from the retirement plan

and seeking to transfer employee contributions made to the retirement plan shall be deemed to have voluntarily relinquished any right to any refund of the amounts transferred to the Washington public employees' retirement system as an employer contribution in accordance with RCW 41.40.517 as now or hereafter amended except as otherwise provided by chapter 41.40 RCW as now or hereafter amended.

Sec. 101. Section 10, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.520 are each amended to read as follows:

Any classified employee at the University of Washington, the regional universities, or The ((four)) Evergreen State College((s)) electing to transfer to the Washington public employees' retirement system from the retirement plan and transferring his employee share in the retirement plan shall be entitled to a refund of his employee share of the total contributions made in his behalf as determined by the board upon termination of employment and withdrawal from the system prior to his death.

Sec. 102. Section 11, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.521 are each amended to read as follows:

Recognizing that it is or has been necessary for employees to serve a period of time to establish eligibility for contributing membership in the various retirement plans established by the University of Washington, the regional universities, and The ((four)) Evergreen State College((s)), any classified employee who elects to transfer to the public employees' retirement system pursuant to RCW 41.40.516(1), as now or hereafter amended may recover such service by paying, to the public employees' retirement system on or before January 1, 1975, the amount of employee and employer contributions with interest (as computed by the retirement board) which would have been made for such service had it been rendered while the employee was a member of the public employees' retirement system.

Sec. 103. Section 1, chapter 142, Laws of 1965 ex. sess. as amended by section 3, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.010 are each amended to read as follows:

As used in this chapter:

- (1) "Board" means the employee suggestion awards board.
- (2) "Employee suggestion program" means the program developed by the board under RCW 41.60.020(2).
- (3) "Secretary" means the secretary of the employee suggestion program.
- (4) "Institutions of higher learning" are the University of Washington, Washington State University, Central Washington ~~((State College))~~ University, Eastern Washington ~~((State College))~~ University, Western Washington ~~((State College))~~ University, The Evergreen State College, and the various state community college districts.

Sec. 104. Section 43.79.150, chapter 8, Laws of 1965 and RCW 43.79.150 are each amended to read as follows:

The one hundred thousand acres of land granted by the United States government to the state for state normal schools in section 17 of the enabling act are assigned to the support of the regional universities, which were formerly the state colleges of education.

Sec. 105. Section 43.79.180, chapter 8, Laws of 1965 and RCW 43.79.180 are each amended to read as follows:

There shall be paid into the state general fund for the use and support of the regional universities (formerly state colleges of education) the following moneys:

(1)—All moneys collected from the lease or rental of lands set apart by the enabling act or otherwise for the state normal schools;

(2)—All interest or income arising from the proceeds of the sale of such lands;

(3)—All moneys received or collected as interest on deferred payments on contracts for the sale of such lands.

Sec. 106. Section 43.79.304, chapter 8, Laws of 1965 and RCW 43.79.304 are each amended to read as follows:

No revenue from any source other than the general fund, which, except for the provisions hereof, would have been paid into the Central College fund, shall be used for any purpose except the support of the Central Washington University (formerly Central Washington State College).

Sec. 107. Section 43.79.314, chapter 8, Laws of 1965 and RCW 43.79.314 are each amended to read as follows:

No revenue from any source other than the general fund, which, except for the provisions hereof, would have been paid into the Eastern College fund, shall be used for any purpose except the support of the Eastern Washington University (formerly Eastern Washington State College).

Sec. 108. Section 43.79.324, chapter 8, Laws of 1965 and RCW 43.79.324 are each amended to read as follows:

No revenue from any source other than the general fund, which, except for the provisions hereof, would have been paid into the Western College fund, shall be used for any purpose except the support of the Western Washington University (formerly Western Washington State College).

Sec. 109. Section 1, chapter 248, Laws of 1969 ex. sess. as amended by section 9, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.195 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, regional universities, The Evergreen State College((s)), and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the office of program planning and fiscal management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the director of the office of program planning and fiscal management authorizes the creation of such fund or account, he shall forthwith give written notice of the fact to the standing committees on ways and means of the house and senate.

Sec. 110. Section 69.32.030, chapter 27, Laws of 1959 and RCW 69.32.030 are each amended to read as follows:

Nothing herein shall make unlawful or prevent the purchase by the University of Washington and Washington State University (~~and the State College of Washington~~) or the proper departments thereof, of narcotic drugs and the use thereof for experimental purposes only, when purchased, owned, held, possessed and used in compliance with the acts of congress and the rules and regulations thereunder.

Sec. 111. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 RCW and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 RCW as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16 RCW;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days under such rules as the department

of revenue shall adopt: PROVIDED, That under circumstances determined to be justifiable by the department of revenue a second fifteen day period may be authorized consecutive with the first fifteen day period; and for the purposes of this exemption the term "nonresident" as used herein, shall include a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained, and operated from the user's place of business in another state; and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence,

famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: **PROVIDED**, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University, the regional universities, The Evergreen State College((s)) and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 RCW or chapter 82.12 RCW;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services;

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: **PROVIDED**, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof;

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the

county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of tangible personal property held for sale and displayed in single trade shows for a period not in excess of thirty days, the primary purpose of which is to promote the sale of products or services.

(21) In respect to the use of pollen.

(22) In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(23) In respect to the use of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(24) In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.

(25) In respect to the use of insulin, prosthetic devices, and medically prescribed oxygen.

Sec. 112. Section 5, chapter 51, Laws of 1923 and RCW 87.25.050 are each amended to read as follows:

Attached to said report of said director shall be the following:

(1) A certificate signed by the supervisor of hydraulics certifying to the amount and sufficiency of water rights available for the project.

(2) A certificate signed by a soil expert of the Washington State (~~college~~) University, certifying as to the character of the soil and the classification of the lands in the district.

(3) A certificate signed by the supervisor of reclamation approving the general feasibility of the system of irrigation.

(4) A certificate signed by the attorney general of the state of Washington approving the legality of the organization and establishment of the district and the legality of the bond issue offered for certification.

NEW SECTION. Sec. 113. Nothing in this 1977 amendatory act shall affect the tenure of or the terms of any officials, administrative assistants, faculty members, or other employees of any institution of higher education within this state, whether such institutions have hereinabove in this 1977 amendatory act been redesignated as regional universities or otherwise. Nothing in this 1977 amendatory act shall affect any rights, whether to property or otherwise, existing on or after the effective date of this 1977 amendatory act, the intent of the legislature being solely to redesignate as regional universities certain institutions of higher education within this state.

NEW SECTION. Sec. 114. It is the intent of the legislature that after the effective date of this 1977 amendatory act, where the names "Western Washington State College", "Central Washington State College", or "Eastern Washington State College" are used in any bill enacted by the legislature or found within the Revised Code of Washington, they shall mean "Western Washington University", "Central Washington University", and "Eastern Washington University", respectively.

NEW SECTION. Sec. 115. The following acts or parts thereof are each hereby repealed:

- (1) Section 28B.10.015, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.015;
- (2) Section 28B.40.115, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.115;
- (3) Section 28B.40.130, chapter 223, Laws of 1969 ex. sess., section 25, chapter 75, Laws of 1977 and RCW 28B.40.130;
- (4) Section 1, chapter 232, Laws of 1975 1st ex. sess. and RCW 28B.40.205;
- (5) Section 2, chapter 196, Laws of 1969 ex. sess. and RCW 28B.40.225;
- (6) Section 28B.40.400, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.400;
- (7) Section 43.92.050, chapter 8, Laws of 1965 and RCW 43.92.050; and
- (8) Section 3, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.030.

NEW SECTION. Sec. 116. If any provision of this 1977 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 26, 1977.

Passed the Senate May 24, 1977.

Approved by the Governor June 6, 1977.

Filed in Office of Secretary of State June 6, 1977.

CHAPTER 170

[House Bill No. 583]

SCHOOL DISTRICT FEES—WAIVER OR REDUCTION—SENIOR CITIZENS

AN ACT Relating to school district fees; and amending section 1, chapter 284, Laws of 1975 1st ex. sess. and RCW 28A.58.113.

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