

based upon consideration of students' educational gains taking into account such students' backgrounds, and upon consideration of cost effectiveness. In considering the cost effectiveness of nonprofit clinics the superintendent shall take into account not only payments made under this section but also factors such as tax exemptions, direct and indirect subsidies or any other cost to taxpayers at any level of government which result from such nonprofit status.

(3) To be eligible for such payment, every such clinic, without prior notice, shall permit a review of its accounting records by personnel of the state auditor during normal business hours.

(4) If total funds for this purpose approach depletion, the superintendent shall notify the clinics of the date after which further funds for reimbursement of the clinics' services will be exhausted.

NEW SECTION. Sec. 5. In accordance with chapter 34.04 RCW, the administrative procedure act, the state board of education with respect to the matter of certification, and the superintendent of public instruction with respect to all other matters, shall have the power and duty to make the necessary rules and regulations to carry out the purpose and intent of this chapter.

Criteria as promulgated by the state board of education or superintendent of public instruction for determining if any educational clinic is providing adequate instruction in basic academic skills or demonstrating superior performance in student educational gains for funding under section 4 of this 1977 act shall be subject to review by four members of the legislature, one from each caucus of each house, including the chairpersons of the respective education committees.

NEW SECTION. Sec. 6. Sections 1 through 5 of this 1977 act are added to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof.

NEW SECTION. Sec. 7. If any provision of this 1977 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 Senate May 31, 1977.

Passed the House June 21, 1977.

Approved by the Governor July 1, 1977.

Filed in Office of Secretary of State July 1, 1977.

CHAPTER 342

[Substitute Senate Bill No. 2235]

SOCIAL AND HEALTH SERVICES FACILITIES—CAPITAL PROJECTS FINANCING

AN ACT Relating to the support of state government; providing for the planning, acquisition, construction, remodeling, improving, and equipping of social and health services facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; creating new sections; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services facilities, the state finance

committee is authorized to issue general obligation bonds of the state of Washington in the sum of twenty million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this act shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

The state finance committee is authorized to prescribe the form of such bonds, the time of sale of all or any portion or portions of such bonds, and the conditions of sale and issuance thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

NEW SECTION. Sec. 2. As used in this act, the term "social and health services facilities", shall include, without limitation, facilities for use in adult correction programs, juvenile rehabilitation programs, mental health programs, and developmental disabilities programs for which an appropriation is made from the state social and health services construction account in the general fund by chapter ... (SSB 3110), Laws of 1977 1st ex. sess., the capital appropriations act, or subsequent capital appropriations acts.

NEW SECTION. Sec. 3. At the time the state finance committee determines to issue such bonds authorized in section 1 of this 1977 act or a portion thereof, it may, pending the issuance thereof, issue in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "bond anticipation notes". The proceeds from the sale of bonds and notes authorized by this act shall be deposited in the state social and health services construction account of the general fund in the state treasury and shall be used exclusively for the purposes specified in this act and for the payment of expenses incurred in the issuance and sale of such bonds and notes: PROVIDED, That such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and interest on such anticipation notes as have been issued, shall be deposited in the state social and health services bond redemption fund of 1976 in the state treasury.

NEW SECTION. Sec. 4. The proceeds from the sale of the bonds authorized in this act and deposited in the state social and health services construction account in the general fund shall be administered by the secretary of the department of social and health services.

NEW SECTION. Sec. 5. The state social and health services bond redemption fund of 1976 in the state treasury shall be used for the purpose of the payment of interest on and retirement of the bonds and notes authorized to be issued by this act. The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount needed in the ensuing twelve months, to meet bond retirement and interest requirements. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state

treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the 1976 state social and health services bond redemption fund an amount equal to the amount certified by the state finance committee to be due on such payment date.

The owner and holder of each of the bonds or the trustee for any of the bonds, by mandamus or other appropriate proceeding, may require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 6. The bonds authorized by this act shall be a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 7. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. 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 Senate June 21, 1977.

Passed the House June 21, 1977.

Approved by the Governor July 1, 1977.

Filed in Office of Secretary of State July 1, 1977.

CHAPTER 343

[Engrossed Senate Bill No. 2242]

DEPARTMENT OF FISHERIES BUILDINGS AND FACILITIES—CAPITAL PROJECTS FINANCING

AN ACT Relating to the support of state government; providing for the planning, acquisition, construction, remodeling, improving, and equipping of fisheries facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; creating new sections; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of providing needed capital improvements consisting of the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for the department of fisheries, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of five million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this act shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. When the state finance committee has determined to issue such general obligation bonds or a portion thereof as authorized in section 1 of this act, it may, pending the issuance thereof, issue in the name of the state temporary notes in anticipation of the issuance of such bonds, which notes shall be designated as "bond anticipation notes". Such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and redemption