

(6) Civil proceedings to enforce this chapter may be brought by the attorney general or the prosecuting attorney of any county affected by the violation on his own motion or at the request of the council. Criminal proceedings to enforce this chapter may be brought by the prosecuting attorney of any county affected by the violation on his own motion or at the request of the council.

~~((4))~~ (7) The remedies and penalties in this section, both civil and criminal, shall be cumulative and shall be in addition to any other penalties and remedies available at law, or in equity, to any person.

NEW SECTION. Sec. 2. This 1979 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 February 22, 1979.

Passed the Senate March 8, 1979.

Approved by the Governor March 16, 1979.

Filed in Office of Secretary of State March 16, 1979.

CHAPTER 42

[Substitute House Bill No. 248]

PUBLIC AGENCIES—EXECUTIVE SESSIONS—REAL ESTATE TRANSACTION DISCUSSIONS

AN ACT Relating to open public meetings; and amending section 11, chapter 250, Laws of 1971 ex. sess. as amended by section 2, chapter 66, Laws of 1973 and RCW 42.30.110.

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

Section 1. Section 11, chapter 250, Laws of 1971 ex. sess. as amended by section 2, chapter 66, Laws of 1973 and RCW 42.30.110 are each amended to read as follows:

Nothing contained in this chapter shall be construed to prevent a governing body from holding executive sessions during a regular or special meeting to consider matters affecting national security; to consider the selection of a site or the acquisition of real estate by lease or purchase, when publicity regarding such consideration would cause a likelihood of increased price; to consider the disposition of real estate by lease or sale, when publicity regarding such consideration would cause a likelihood of decreased price; to consider the appointment, employment, or dismissal of a public officer or employee; or to hear complaints or charges brought against such officer or employee by another public officer, person, or employee unless such officer or employee requests a public hearing. The governing body also may exclude from any such public meeting or executive session, during the examination of a witness on any such matter, any or all other witnesses in the matter being investigated by the governing body. If executive sessions

are held to discuss the disposition by sale or lease of real estate, the discussion shall be limited to the minimum selling or leasing price.

Passed the House March 8, 1979.
Passed the Senate March 2, 1979.
Approved by the Governor March 19, 1979.
Filed in Office of Secretary of State March 19, 1979.

CHAPTER 43

[House Bill No. 126]

TERM PAPER COMMERCIAL SALES

AN ACT Relating to postsecondary education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and providing penalties.

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:

(1) The legislature finds that commercial operations selling term papers, theses, and dissertations encourages dishonesty on the part of students attending Washington state institutions of higher learning, and in so doing impairs the public confidence in the credibility of these institutions to function within their prime mission, that of providing a quality education to the citizens of the state.

(2) The legislature further finds that this problem, beyond the ability of these institutions to control effectively, is a matter of state concern, while at the same time recognizing the need for and the existence of legitimate research functions.

It is the declared intent of sections 1 through 3 of this act, therefore, that the state of Washington prohibit the commercial sale of term papers, theses and dissertations: PROVIDED, That such legislation shall not affect legitimate and proper research activities: PROVIDED FURTHER, That such legislation does not impinge on the rights, under the First Amendment, of freedom of speech, of the press, and of distributing information.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

Unless the context clearly indicates otherwise, the words used in sections 1 through 3 of this act shall have the meaning given in this section:

(1) "Person" means any individual, partnership, corporation, or association.

(2) "Assignment" means any specific written, recorded, pictorial, artistic, or other academic task, including but not limited to term papers, theses, dissertations, essays, and reports, that is intended for submission to any postsecondary institution in fulfillment of the requirements of a degree, diploma, certificate, or course of study at any such educational institution.