

NEW SECTION. Sec. 10. The bonds authorized by this chapter shall be a legal investment for all state funds or for funds under state control and for all funds of any other public body.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 12. There is appropriated to the state department of social and health services, from the state and local improvements revolving account out of the proceeds from the sale of bonds or notes authorized by this 1979 act, the sum of ten million dollars for grants to public bodies as state matching funds for the purpose of aiding in planning, acquisition, construction, and improvement of water supply facilities. This appropriation expires on June 30, 1981.

NEW SECTION. Sec. 13. 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.

Passed the House June 1, 1979.

Passed the Senate June 1, 1979.

Approved by the Governor June 21, 1979.

Filed in Office of Secretary of State June 21, 1979.

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CHAPTER 259

[Substitute House Bill No. 768]

INSTITUTIONS OF HIGHER EDUCATION—RETIREMENT PLANS

AN ACT Relating to retirement plans of certain institutions of higher education; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 15, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.400; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 18, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.415; adding a new section to chapter 28B.10 RCW; and declaring an emergency.

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

Section 1. Section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 15, chapter 169, Laws of 1977 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, 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~~) to his designated beneficiary(s), each year after his retirement, (~~an~~) a supplemental amount which, when added to the amount of such annuity or retirement income plan, or retirement income benefit pursuant to RCW 28B.10.415, received by him or his (( surviving spouse)) designated beneficiary(s) 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 under an annuity or retirement income plan established pursuant to subsection (1) of this section 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)) designated beneficiary(s) 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)) an institution of higher education 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)) designated beneficiary(s) shall be entitled to receive the supplemental payment authorized by this subsection (3) of this section to which such ((surviving spouse)) designated beneficiary(s) 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: PROVIDED FURTHER, That for the purpose of this subsection, the designated beneficiary(s) shall be (a) the surviving spouse of the retiree; or, (b) with the written consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education.

Sec. 2. Section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 18, chapter 169, Laws of 1977 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, 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 now or hereafter amended, multiplied by the number of years of full time service rendered by such person: PROVIDED, That credit for years of service at an institution of higher education shall be limited to those years in which contributions were made by a faculty member or other employee designated pursuant to RCW 28B.10.400(1) and the institution or the state as a result of which a benefit is being received by a retired person from any Washington state public retirement plan: PROVIDED FURTHER, That all such benefits that a retired person is eligible to receive shall reduce any supplementation payments provided for in RCW 28B.10.400 as now or hereafter amended.

NEW SECTION. Sec. 3. There is added to chapter 28B.10 RCW a new section to read as follows:

The boards of regents of the state universities, the boards of trustees of the state colleges, and the state board for community college education, when establishing the amount of supplemental payment under RCW 28B.10.400(3) as now or hereafter amended, shall apply the following assumptions:

(1) That the faculty member or such other employee at the time of retirement elected a joint and two-thirds survivor option on their annuity or retirement income plan using actual ages, but not exceeding a five-year age difference if married, or an actuarial equivalent option if single, which represents accumulations including all dividends from all matching contributions and any benefit that such faculty member is eligible to receive from any Washington state public retirement plan while employed at an institution of higher education;

(2) That on and after July 1, 1974, matching contributions were allocated equally between a fixed dollar and a variable dollar annuity;

(3) That for each year after age fifty, the maximum amount of contributions pursuant to RCW 28B.10.410 as now or hereafter amended be contributed toward the purchase of such annuity or retirement income plan, otherwise three-fourths of the formula described in RCW 28B.10.415, as now or hereafter amended, shall be applied.

NEW SECTION. Sec. 4. 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. 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 May 29, 1979.

Passed the Senate May 25, 1979.

Approved by the Governor June 21, 1979.

Filed in Office of Secretary of State June 21, 1979.

## CHAPTER 260

[Substitute Senate Bill No. 3129]

### PERFORMING ARTS FACILITIES—OLYMPIA, TACOMA—BOND ISSUE

AN ACT Relating to commerce, economic and cultural recreation development; providing for the planning, design, construction, furnishing, and landscaping of recreational performing arts facilities; providing for the financing thereof by issuance of bonds and anticipation notes; authorizing the acceptance of gifts of real property; adding new sections to chapter 43.31 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. For the purpose of providing matching funds for the planning, design, construction, furnishing, and landscaping of a regionally based performing arts facility, to be known as "the Washington center for the performing arts" facility located in Thurston county within the area of the city of Olympia, and for the purpose of providing matching funds for the restoration and renovation of "the Pantages theatre" facility located in Pierce county within the area of the city of Tacoma, the state finance committee is directed and authorized to issue general obligation bonds of the state of Washington in the sum of three million dollars, or so much thereof as may be required to finance that portion of the grant by the state for the projects as provided by law: **PROVIDED**, That one million five hundred thousand dollars shall be allocated for the Washington center for the performing arts, to be built on unimproved real estate provided by the city of Olympia as a multitheatre performing arts recreational facility for the people of the state of Washington: **AND PROVIDED FURTHER**, That one million five hundred thousand dollars shall be allocated for the renovation and restoration of the "Pantages theatre" as a performing arts recreational facility for the people of the state of Washington.

No bonds may be issued for the Washington center for the performing arts unless matching funds are provided or secured from the federal government or private sources in the amount of one million five hundred thousand dollars for the Washington center for the performing arts and the city of Olympia provides unimproved real estate for the site of the facility.

No bonds may be issued for the Pantages theatre unless matching funds are provided or secured from the federal government or private sources in