

(2) Any ((person)) resident sixty-five years of age or older or under sixteen years of age shall be issued, upon making an affidavit to such effect and upon payment of the dealer fee established in RCW 75.25.030, a personal use razor clam license at no cost.

(3) For the purposes of this chapter, "resident" means a person who, for at least thirty days immediately preceding application for a license, has maintained a permanent place of abode within this state and has established, by formal evidence, an intent to continue residence within this state. All other persons are nonresidents.

(4) License fees received from the issuance of razor-clamming licenses shall be paid into the general fund and shall be subject to legislative appropriation until the cumulative total subject to legislative appropriation equals the appropriation under section 11 of this act or so much of that appropriation as is actually used. Any excess over the amount appropriated or used shall be credited to the department of fisheries and shall be expended on the development or operation of programs beneficial to razor clam harvesting.

NEW SECTION. Sec. 2. There is added to chapter 75.25 RCW a new section to read as follows:

It shall be lawful to dig the personal-use daily bag limit of razor clams for another person if that person has in possession a physical disability permit approved by the director.

NEW SECTION. Sec. 3. This act shall take effect on July 1, 1980.

Passed the House February 22, 1980.

Passed the Senate February 18, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

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CHAPTER 82

[House Bill No. 1495]

EDUCATIONAL SERVICES REGISTRATION EXEMPTIONS—RELIGIOUS AND AVIATION SCHOOLS

AN ACT Relating to educational services registration; amending section 4, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.040; and declaring an emergency.

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

Section 1. Section 4, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.040 are each amended to read as follows:

The following education and institutions are exempted from the provisions of this chapter:

(1) Education sponsored by bona fide trade, business, professional, or fraternal organizations primarily for that organization's membership or offered by that organization on a no-fee basis;

(2) Education solely avocational or recreational in nature and institutions offering such education exclusively;

(3) Education offered by charitable institutions, organizations, or agencies: PROVIDED, That such education is not advertised or promoted as leading toward educational credentials;

(4) Institutions that are established, operated, and governed by this state or its political subdivisions under the provisions of Titles 28A, 28B and 28C RCW;

(5) Institutions that have been accredited by any accrediting association recognized by the agency for the purposes of this act: PROVIDED, That an institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of any such accrediting association to qualify for this exemption.

(6) Any other institution to the extent that it has been exempted from some or all of the provisions of this chapter in accordance with the hardship exemption procedure in RCW 28B.05.130.

(7) Institutions not otherwise exempt that are of a religious character, but only as to those education programs exclusively devoted to religious or theological objectives, and that are represented in an accurate manner in institutional catalogs or other official publications.

(8) Educational institutions that are certified by the Federal Aviation Administration under 14 CFR 141 and those educational institutions certified under 14 CFR 61 which offer instruction solely for avocational or recreational purposes.

NEW SECTION. Sec. 2. This 1980 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 25, 1980.

Passed the Senate February 15, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

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## CHAPTER 83

[Substitute House Bill No. 1511]

### LEGEND DRUGS—IDENTIFICATION—APPROPRIATION

AN ACT Relating to legend drugs; amending section 5, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.050; adding new sections to chapter 69.41 RCW; prescribing penalties; making an appropriation; and providing an effective date.

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