

(30) "State elective position" means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(31) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

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 April 20, 1981.

Passed the House April 25, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 257

[Substitute Senate Bill No. 4090]

INSTITUTIONS OF HIGHER EDUCATION—TUITION AND FEES—STUDENT LOANS—BOND RETIREMENT

AN ACT Relating to tuition and fees; amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 14, chapter 151, Laws of 1979 and RCW 28B.15.031; amending section 7, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.070; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.100; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 1, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.060; repealing section 8, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.075; repealing section 3, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.201; repealing section 4, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.401; repealing section 28B.15.500, chapter 223, Laws of 1969 ex. sess., section 10, chapter 279, Laws of 1971 ex. sess., section 5, chapter 322, Laws of 1977 ex. sess., section 1, chapter ... [Substitute House Bill No. 520], Laws of 1981 and RCW 28B.15.500; and declaring an emergency.

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

Section 1. Section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 14, chapter 151, Laws of 1979 and RCW 28B.15.031 are each amended to read as follows:

The term "operating fees" as used in this chapter shall include the fees, other than general tuition fees, charged all students registering at the state's colleges and universities but shall not include fees for short courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to

impose, laboratory, gymnasium, health, and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities 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, or such other special fees as may be established by any college or university board of trustees or regents from time to time. All moneys received as operating fees at any institution of higher education shall be transmitted to the state treasurer within thirty-five days of receipt to be deposited in the state general fund: **PROVIDED**, That required matching moneys for federal and state financial aid programs may be exempt from such deposit with approval of the director of financial management: **PROVIDED FURTHER**, That two and one-half percent of moneys received as operating fees be exempt from such deposit and be retained by the institutions for the purposes of section 9 of this amendatory act.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

General tuition and operating fees shall be established and adjusted biennially under the provisions of this chapter beginning with the 1983-84 academic year. Such fees shall be identical, subject to other provisions of this chapter, for students enrolled at either state university, for students enrolled at the regional universities and The Evergreen State College and for students enrolled at any community college. The general tuition and operating fees shall reflect the educational costs of the state universities, the regional universities and the community colleges, respectively, in the amounts herein prescribed.

Sec. 3. Section 7, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.070 are each amended to read as follows:

The house and senate higher education committees shall develop, in cooperation with the council for postsecondary education and the respective fiscal committees of the house and senate, the office of (~~fiscat~~) financial management and the state institutions of higher education no later (~~of~~) than (~~January 1978~~) December 1981, and at each two year interval thereafter, definitions, criteria and procedures for determining the (~~operating~~) educational costs (~~of instruction~~) for the state universities, regional universities and community colleges upon which general tuition and operating fees (~~recommendations~~) will be based. In the event that no action is taken or disagreement exists between the committees as of that date, the recommendations of the council shall be deemed to be approved.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

The council for postsecondary education shall determine and transmit amounts constituting approved educational costs to the several boards of regents and trustees of the state institutions of higher education by November 10 of each even-numbered year. General tuition fees and operating fees shall be based on such costs in accordance with the provisions of this chapter.

Sec. 5. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.100 are each amended to read as follows:

(1) The board of regents or board of trustees at each of the state's 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 for any quarter or semester such general tuition fees, operating fees, services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the general tuition fee, operating fee, and services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such general tuition fees and operating fees for other than summer session quarters or semesters shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended.

(2) Part time students shall be charged general tuition, operating, and services and activities fees proportionate to full time student rates established for residents and nonresidents: PROVIDED, That residents of Idaho or Oregon who are enrolled in community college district number twenty for six or fewer credits during any quarter or semester may be allowed to enroll at resident tuition and fee rates upon a declaration by the council for postsecondary education that it finds Washington residents from such community college district are afforded substantially equivalent treatment by such other states or that, until June 30, 1983, it is in the interest of the residents of such community college district to authorize the exchange of educational opportunities between Washington and other such states on a resident tuition and fee basis.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

General tuition fees, operating fees, and services and activities fees at the University of Washington and at Washington State University for other than summer quarters or semesters shall be as follows: PROVIDED, That increases in tuition and fee rates for the 1981 summer session shall reflect the increases set forth below for the 1981-82 academic year:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs or enrolled in programs

leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be nine hundred and twenty-one dollars, and for the 1982-83 academic year shall be one thousand and thirty-eight dollars, and thereafter such fees shall be one-third of the per student educational costs at the state universities computed as provided in sections 2 and 3 of this amendatory act: **PROVIDED**, That the general tuition fee for each academic year shall be one hundred and twenty dollars.

(2) For full time resident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be one thousand one hundred and one dollars, and for the 1982-83 academic year shall be one thousand two hundred and forty-eight dollars, and thereafter such fees shall be one hundred and twenty percent of such fees charged in subsection (1) above: **PROVIDED**, That the general tuition fee for each academic year shall be one hundred and twenty dollars.

(3) For full time resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be one thousand seven hundred and ninety-one dollars, and for the 1982-83 academic year shall be two thousand and seventy-nine dollars, and thereafter such fees shall be two hundred percent of such fees charged in subsection (1) above: **PROVIDED**, That the general tuition fee for each academic year shall be three hundred and forty-two dollars.

(4) For full time nonresident undergraduate students and such other full time nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, or doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be two thousand nine hundred and ten dollars, and for the 1982-83 academic year shall be three thousand one hundred and seventeen dollars, and thereafter such fees shall be one hundred percent of the per student educational costs at the state universities computed as provided in sections 2 and 3 of this amendatory act: **PROVIDED**, That the general tuition fee for each academic year shall be three hundred and fifty-four dollars.

(5) For full time nonresident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be three thousand four hundred and sixty-two dollars, and for the 1982-83 academic year shall be three thousand seven hundred and forty-one dollars, and thereafter such fees shall be one hundred and twenty percent of such fees charged in subsection (4)

above: PROVIDED, That the general tuition fee for each academic year shall be three hundred and fifty-four dollars.

(6) For full time nonresident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of general tuition and operating fees for the 1981-82 academic year shall be five thousand five hundred and ninety-two dollars, and for the 1982-83 academic year shall be six thousand two hundred and thirty-seven dollars, and thereafter such fees shall be two hundred percent of such fees charged in subsection (4) above: PROVIDED, That the general tuition fee for each academic year shall be five hundred and fifty-five dollars.

(7) The boards of regents of each of the state universities shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (6) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred and thirty-eight dollars. In subsequent biennia the board of regents may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition and operating fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

General tuition fees, operating fees, and services and activities fees at the regional universities and The Evergreen State College for other than summer quarters or semesters shall be as follows: PROVIDED, That increases in tuition and fee rates for the 1981 summer session shall reflect the increases set forth below for the 1981-82 academic year:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs, the total of general tuition and operating fees for the 1981-82 academic year shall be six hundred eighty-two dollars and fifty cents, and for the 1982-83 academic year shall be seven hundred fifty-seven dollars and fifty cents, and thereafter such fees shall be one-fourth of the per student educational costs at the regional universities computed as provided in sections 2 and 3 of this amendatory act: PROVIDED, That the general tuition fee for each academic year shall be seventy-six dollars and fifty cents.

(2) For full time resident graduate students, the total of general tuition and operating fees for the 1981-82 academic year shall be eight hundred eleven dollars and fifty cents, and for the 1982-83 academic year shall be nine hundred seven dollars and fifty cents, and thereafter such fees shall be

one hundred and twenty percent of such fees charged in subsection (1) above: PROVIDED, That the general tuition fee for each academic year thereafter shall be seventy-six dollars and fifty cents.

(3) For full time nonresident undergraduate students and all other full time nonresident students not in graduate study programs, the total of general tuition and operating fees for the 1981-82 academic year shall be two thousand seven hundred twenty-five dollars and fifty cents, and for the 1982-83 academic year shall be three thousand twenty-five dollars and fifty cents, and thereafter such fees shall be one hundred percent of the per student educational costs at the regional universities computed as provided in sections 2 and 3 of this amendatory act: PROVIDED, That the general tuition fee for each academic year shall be two hundred and ninety-five dollars and fifty cents.

(4) For full time nonresident graduate students, the total of general tuition and operating fees for the 1981-82 academic year shall be three thousand two hundred fifty dollars and fifty cents, and for the 1982-83 academic year shall be three thousand six hundred thirty-one dollars and fifty cents, and thereafter such fees shall be one hundred and twenty percent of such fees charged in subsection (3) above: PROVIDED, That the general tuition fee for each academic year shall be two hundred and ninety-five dollars and fifty cents.

(5) The boards of trustees of each of the regional universities and The Evergreen State College shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (4) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred eighty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15-.045, by a percentage not to exceed the percentage increase in tuition and operating fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

NEW SECTION. Sec. 8. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

General tuition fees, operating fees and services and activities fees at each community college other than at summer quarters shall be as follows: PROVIDED, That increases in tuition and fee rates for the 1981 summer session shall reflect the increases set forth below for the 1981-82 academic year:

(1) For full time resident students, the total of general tuition and operating fees for the 1981-82 academic year shall be four hundred six dollars and fifty cents, and for the 1982-83 academic year shall be four hundred

fifty-four dollars and fifty cents, and thereafter such fees shall be twenty-three percent of the per student educational costs at the community colleges computed as provided in sections 2 and 3 of this amendatory act: **PROVIDED**, That the general tuition fee for each academic year shall be one hundred and twenty-seven dollars and fifty cents.

(2) For full time nonresident students, the total of general tuition and operating fees for the 1981-82 academic year shall be one thousand seven hundred sixty-five dollars and fifty cents, and for the 1982-83 academic year shall be one thousand nine hundred seventy-two dollars and fifty cents, and thereafter such fees shall be one hundred percent of the per student educational costs at the community colleges computed as provided in sections 2 and 3 of this amendatory act: **PROVIDED**, That the general tuition fee for each academic year shall be four hundred and three dollars and fifty cents.

(3) The boards of trustees of each of the state community colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) and (2) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed sixty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition and operating fees authorized in subsection (1) above: **PROVIDED**, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(4) General tuition, operating fees and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for ungraded courses, non-credit courses, community services courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

NEW SECTION. Sec. 9. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

(1) Each institution of higher education shall deposit two and one-half percent of revenues collected from tuition, operating, and services and activities fees in an institutional long-term loan fund which is hereby created and which shall be held locally. Moneys in such fund shall be used to make guaranteed loans to eligible students.

(2) An "eligible student" for the purposes of this section is a student registered for at least six credit hours or the equivalent, who is a "resident

student" as defined in RCW 28B.15.012, and who is a "needy student" as defined in RCW 28B.10.802.

(3) The amount of the loans made under subsection (1) of this section shall not exceed the demonstrated financial need of the student. Each institution shall establish loan terms and conditions which shall be consistent with the terms of the guaranteed loan program established by 20 U.S. Code Section 1071 et. seq., as now or hereafter amended. All loans made shall be guaranteed by the Washington student loan guaranty association or its successor agency. Institutions are hereby granted full authority to operate as an eligible lender under the guaranteed loan program.

(4) Each institution is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Institutions shall cooperate with other lenders and the Washington student loan guaranty association, or its successor agency, in the coordinated collection of guaranteed loans, and shall assure that the guarantability of the loans is not violated. Collection and servicing of loans under subsection (1) of this section shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency: PROVIDED, That institutions be permitted to perform such servicing if specifically recognized to do so by the Washington student loan guaranty association or its successor agency. Collection and servicing of loans made by community colleges under subsection (1) of this section shall be coordinated by the state board for community college education and shall be conducted under procedures adopted by such state board.

(5) Receipts from payment of interest or principle or any other subsidies to which institutions as lenders are entitled, which are paid by or on behalf of borrowers of funds under subsection (1) of this section, shall be deposited in each institution's general local fund and shall be used to cover the costs of making the loans under subsection (1) of this section and maintaining necessary records and making collections under subsection (4) of this section: PROVIDED, That such costs shall not exceed five percent of aggregate outstanding loan principle. Institutions shall maintain accurate records of such costs, and all receipts beyond those necessary to pay such costs, shall be used for the support of the institution's operating budget.

(6) The boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, and the state board for community college education, on behalf of the community colleges, shall each adopt necessary rules and regulations to implement this section.

(7) Lending activities under this section shall be directed toward students who would not normally have access to educational loans from private

financial institutions in Washington state, and maximum use shall be made of secondary markets in the support of loan consolidation.

NEW SECTION. Sec. 10. Notwithstanding any other provision of this amendatory act, the boards of regents and trustees of the respective institutions of higher education shall set aside from tuition and fees charged in each schedule an amount heretofore pledged and necessary for the purposes of bond retirement until such time as any such debt has been satisfied.

NEW SECTION. Sec. 11. The following acts or parts hereof are each hereby repealed:

(1) Section 1, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.060;

(2) Section 8, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.075;

(3) Section 3, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.201;

(4) Section 4, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.401; and

(5) Section 28B.15.500, chapter 223, Laws of 1969 ex. sess., section 10, chapter 279, Laws of 1971 ex. sess., section 5, chapter 322, Laws of 1977 ex. sess., section 1, chapter ... [Substitute House Bill No. 520], Laws of 1981 and RCW 28B.15.500.

NEW SECTION. Sec. 12. This amendatory 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.

NEW SECTION. Sec. 13. If any provision of this 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 Senate April 26, 1981.

Passed the House April 25, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 258
[Substitute Senate Bill No. 4131]
CRIMES INVOLVING FIREARMS

AN ACT Relating to crimes involving firearms; and amending section 1, chapter 175, Laws of 1969 ex. sess. and RCW 9.41.025.

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