

local jail improvement and construction account of the general fund to the corrections standard board for the biennium ending June 30, 1985, any sum remaining from the foregoing appropriation that was not spent in the biennium ending June 30, 1983.

NEW SECTION. Sec. 3. There is appropriated to the State Jail Commission for the biennium ending June 30, 1983, from the local jail improvement and construction account in the general fund the sum of 3.8 million dollars, or so much thereof as may be necessary, for the specific purpose of constructing an additional floor to the state funded Spokane County Jail project which will house state prisoners under an agreement between the County and the Department of Corrections.

There is reappropriated from the local jail improvement and construction account of the general fund to the corrections standard board for the biennium ending June 30, 1985, any sum remaining from the foregoing appropriation that was not spent in the biennium ending June 30, 1983.

NEW SECTION. Sec. 4. 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 24, 1983.

Passed the Senate May 23, 1983.

Approved by the Governor June 13, 1983.

Filed in Office of Secretary of State June 13, 1983.

CHAPTER 64

[Second Substitute House Bill No. 693]

HIGHER EDUCATION INSTITUTIONAL LONG-TERM LOAN FUND

AN ACT Relating to the higher education institutional long-term loan fund; amending section 9, chapter 257, Laws of 1981 as amended by section 13, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.820; amending section 14, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.825; decodifying RCW 28B.15.825; declaring an emergency; and providing an effective date.

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

Sec. 1. Section 9, chapter 257, Laws of 1981 as amended by section 13, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.820 are each amended 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 except as provided for in subsection (10) of this section.

(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 eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015, 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) Before approving a guaranteed loan, each institution shall analyze the ability of the student to repay the loan based on factors which include, but are not limited to, the student's accumulated total education loan burdens and the employment opportunities and average starting salary characteristics of the student's chosen fields of study. The institution shall counsel the student on the advisability of acquiring additional debt, and on the availability of other forms of financial aid.

(5) 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))~~ (6) Receipts from payment of interest or ~~((principle))~~ principal 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))~~ (5) 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))~~ (7) 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))~~ (8) 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.

~~((8))~~ (9) Short-term interim loans, not to exceed one hundred twenty days, may be made from the institutional long-term loan fund to students eligible for guaranteed student loans and whose receipt of such loans is pending. Such short-term loans shall not be subject to the guarantee restrictions or the constraints of federal law imposed by subsection (3) of this section. No such loan shall be made to any student who is known by the institution to be in default or delinquent in the payment of any outstanding student loan.

(10) Any moneys deposited in the institutional long-term loan fund which are not used in making long or short term loans or transferred to institutional operating budgets may be used by the institution for locally-administered financial aid programs for needy students, such as need-based institutional employment programs or need-based tuition and fee waiver programs. These funds shall be used in addition to and not to replace institutional funds which would otherwise support these locally-administered financial aid programs. Priority in the use of these funds shall be given to needy students who have accumulated excessive educational loan burdens. An excessive educational loan burden is a burden that will be difficult to repay given employment opportunities and average starting salaries in the student's chosen fields of study.

Sec. 2. Section 14, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.825 are each amended to read as follows:

Notwithstanding the provisions of RCW 28B.15.031 or 28B.15.820, for the purpose of assisting the various institutions of higher education in meeting emergency financial problems, the institutions are directed to transfer the following amounts (~~equal to the fiscal 1982 deposit of funds~~) from the institutional loan fund established in RCW 28B.15.820 to their respective local general funds:

University of Washington	\$	2,340,434
Washington State University	\$	1,008,074
Eastern Washington University	\$	411,613
Central Washington University	\$	331,679
The Evergreen State College	\$	153,985

Western Washington University	\$	446,418
State board for community college education	\$	2,307,797
<u>Such transfer authority shall be in effect only for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985.</u>		

NEW SECTION. Sec. 3. RCW 28B.15.825 is decodified.

NEW SECTION. Sec. 4. Sections 2 and 3 of this act are 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 June 30, 1983.

- Passed the House May 13, 1983.
- Passed the Senate May 18, 1983.
- Approved by the Governor June 13, 1983.
- Filed in Office of Secretary of State June 13, 1983.

CHAPTER 65

[Substitute House Bill No. 712]

HAZARDOUS WASTES—REGULATION—CONTROL—WASTE PRODUCERS—SITE OPERATORS ANNUAL FEE

AN ACT Relating to hazardous wastes; adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency.

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

NEW SECTION. Sec. 1. (1) It is the policy of the state of Washington to protect the public health and welfare of all its citizens against the dangers arising from the generation, transport, treatment, storage, and disposal of hazardous wastes and from releases of hazardous substances. In order to reach that policy objective, it is not only necessary to provide state government with broad powers of regulation, control, and removal of these hazardous wastes and substances, including the power to fashion and effectuate remedial directives, but it is imperative that adequate funds are also provided to carry out these powers in a vigorous manner. In the implementation of the provisions of this chapter, the state shall, when appropriate, cooperate with and support federal agencies in their implementation of counterpart federal hazardous waste and substances programs, while pursuing independent state actions whenever it appears they will provide more efficient or effective alternative programs to achieve the policies and purposes of this chapter.

(2) The purposes of this chapter are, among others: (a) To supplement the powers already vested in the department of ecology relating to hazardous wastes and to releases of substances which are hazardous to the environment or public health, (b) to provide moneys necessary for the full,