

the application of the provision to other persons or circumstances is not affected.

Passed the Senate February 26, 1987.

Passed the House April 1, 1987.

Approved by the Governor April 22, 1987.

Filed in Office of Secretary of State April 22, 1987.

CHAPTER 136

[Substitute House Bill No. 424]

SCHOOL DISTRICT EMPLOYEES'—PUBLIC EMPLOYEES' RETIREMENT SYSTEM CREDIT REQUIREMENTS REVISED

AN ACT Relating to service credit of school district employees; and amending RCW 41.40.450.

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

Sec. 1. Section 1, chapter 23, Laws of 1973 as amended by section 2, chapter 69, Laws of 1983 and RCW 41.40.450 are each amended to read as follows:

(1) Notwithstanding any other law, or rule or regulation of the director, any member employed by the school district who is actually employed by the district on a continuous nine month basis and who earns at least nine months of service credit under RCW 41.40.010(9) during the school district's fiscal year shall receive credit for twelve months of service.

(2) The provisions of subsection (1) of this section shall be effective on a retroactive basis for all members who retire after the effective date of this 1987 act.

Passed the House March 13, 1987.

Passed the Senate April 9, 1987.

Approved by the Governor April 22, 1987.

Filed in Office of Secretary of State April 22, 1987.

CHAPTER 137

[House Bill No. 1180]

HIGHER EDUCATION RESIDENCY REQUIREMENTS—RESIDENCY GRANTED FOR CERTAIN OUT-OF-STATE STUDENTS WHO ATTENDED AN IN-STATE HIGH SCHOOL

AN ACT Relating to residency requirements for students who have attended Washington high schools recently; and amending RCW 28B.15.012.

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

Sec. 1. Section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 62, chapter 370, Laws of 1985 and RCW 28B.15.012 are each amended to read as follows:

Whenever used in chapter 28B.15 RCW:

(1) The term "institution" shall mean a public university, college, or community college within the state of Washington.

(2) The term "resident student" shall mean: (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational; (b) a dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; ((or)) (c) a student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous; or (d) any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(3) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended. A nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States immigration and naturalization service and who does not also meet and comply with all the applicable requirements in RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended.

(4) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the higher education coordinating board and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the board may require.

Passed the House March 18, 1987.

Passed the Senate April 7, 1987.

Approved by the Governor April 22, 1987.

Filed in Office of Secretary of State April 22, 1987.

CHAPTER 138

[Engrossed Substitute House Bill No. 298]

LOCAL GOVERNMENT JUNIOR TAXING DISTRICTS—WITHDRAWAL AND REANNEXATION OF AREAS—TEMPORARY VOTER-APPROVED INCREASE IN REGULAR PROPERTY TAX AUTHORIZED—COUNTY ASSESSORS TO REPORT TO REVENUE DEPARTMENT ON STANDARDIZED FORMS

AN ACT Relating to local government; adding a new section to chapter 27.12 RCW; adding a new section to chapter 35.61 RCW; adding a new section to chapter 36.21 RCW; adding a new section to chapter 52.04 RCW; adding a new section to chapter 70.44 RCW; adding a new section to chapter 84.09 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; and declaring an emergency.

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

NEW SECTION. Sec. 1. A new section is added to chapter 27.12 RCW to read as follows:

(1) As provided in this section, a rural county library district, island library district, or intercounty rural library district may withdraw areas from its boundaries, or reannex areas into the library district that previously had been withdrawn from the library district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the board of trustees requesting the withdrawal and finding that, in the opinion of the board, inclusion of this area within the library district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the