

part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 shall be included within and deemed to be services and activities fees.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

All terms, conditions, and covenants, including the pledges of student activity fees, student use fees and student building use fees, special student fees or any similar fees charged to all full time students, or to all students, as the case may be, registering at the state's colleges and universities, contained in all bonds heretofore issued to pay all or part of the cost of acquiring, constructing or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 are hereby declared to be lawful and binding in all respects.

NEW SECTION. Sec. 4. This 1973 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.

Passed the Senate April 3, 1973.

Passed the House April 14, 1973.

Approved by the Governor April 23, 1973.

Filed in Office of Secretary of State April 24, 1973.

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CHAPTER 131

[Engrossed Substitute Senate Bill No. 2740]

HIGHER EDUCATION BUDGET

AN ACT Adopting the budget for the institutions of higher education and the community colleges; making appropriations and authorizing expenditures for the operations of the institutions of higher education and the community colleges for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; designating effective dates for certain appropriations; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. That a budget is hereby adopted for the institutions of higher education and the community colleges and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries,

wages and other expenses of the institutions of higher education and the community colleges of the state and for other specified purposes for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

NEW SECTION. Sec. 2. FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation: PROVIDED, That up to \$744,217 shall be expended for any new and innovative program as developed and implemented through chapter 275, Laws of 1971 ex. sess. (ESHB 151) in the 1971-73 biennium, and where evaluation merits continuance and for programs proposed in the 1973-75 biennium; in depth evaluations of project goals, effectiveness, applicability to other institutions, and provisions for continuation of viable projects shall be provided to the Council on Higher Education: PROVIDED, That in addition to the amounts budgeted in this appropriation for the Equal Opportunity Program the University shall expend \$160,000 for the biennium: PROVIDED FURTHER, That the funds contained in this section shall be reallocated so that up to \$293,200 may be available for arboretum purposes, which funds shall not be expended at any location other than the present University of Washington arboretum located in Seattle without the approval of the legislature.....\$ 141,005,919

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 7,837,614  
 Accident Fund Appropriation.....\$ 410,148  
 Medical Aid Fund Appropriation.....\$ 410,148

NEW SECTION. Sec. 3. FOR THE WASHINGTON STATE UNIVERSITY

General Fund Appropriation: PROVIDED, That up to

\$1,560,002 of this appropriation shall be used to provide public support for the Spokane Nursing Center: That Washington State University is authorized to maintain a level of expenditure for agricultural extension and agricultural research which anticipates the receipt of \$533,000 in federal funds during the 1973-75 biennium for these programs: PROVIDED, That is the intent of the legislature that if the federal funds are not received, any deficiency not to exceed \$533,000 shall be appropriated at the January, 1974, legislative session: PROVIDED FURTHER, That up to \$100,000 of this appropriation be used for research in alternative methods to grass burning.....\$ 72,618,120

General Fund Appropriation: For staff, design, and beginning construction of an underground distribution test site upon written assurances of full financial support from the Electrical Research Council for financing a major test site installation.....\$ 50,000

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by Chapter ... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel.....\$ 3,368,612

NEW SECTION. Sec. 4. FOR THE EASTERN WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That up to \$100,000 of this appropriation shall be made available for establishment and support of a Master of Social Work graduate program during the 1973-75 biennium.....\$ 20,983,044

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other

increases authorized by chapter ...  
 (SSB 2854), Laws of 1973 1st ex.  
 sess. for faculty and exempt  
 personnel.....\$ 684,383

NEW SECTION. Sec. 5. FOR THE CENTRAL  
 WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That  
 Central Washington State College may  
 expend an amount not to exceed \$125,000  
 to explore the feasibility of the  
 development and implementation of a  
 management by objective program for  
 the administration of public agencies.....\$ 22,148,218

General Fund Appropriation: For salary  
 and related fringe benefit  
 increases in addition to any other  
 increases authorized by chapter ...  
 (SSB 2854), Laws of 1973 1st ex.  
 sess. for faculty and exempt  
 personnel.....\$ 850,876

NEW SECTION. Sec. 6. FOR THE EVERGREEN  
 STATE COLLEGE

General Fund Appropriation: PROVIDED, That  
 an additional one hundred and fifty  
 students may be enrolled for the 1973-75  
 school years and such enrollment growth  
 shall be evaluated during the first  
 legislative session in 1974 to determine  
 the feasibility of funding additional  
 enrollment growth.....\$ 10,584,693

General Fund Appropriation: For salary  
 and related fringe benefit  
 increases in addition to any other  
 increases authorized by chapter ...  
 (SSB 2854), Laws of 1973 1st ex.  
 sess. for faculty and exempt  
 personnel.....\$ 245,372

NEW SECTION. Sec. 7. FOR THE WESTERN  
 WASHINGTON STATE COLLEGE

General Fund Appropriation.....\$ 25,530,776

General Fund Appropriation: For salary  
 and related fringe benefit  
 increases in addition to any other  
 increases authorized by chapter ...  
 (SSB 2854), Laws of 1973 1st ex. sess.

for faculty and exempt personnel.....\$	1,032,060
<p><u>NEW SECTION.</u> Sec. 8. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</p>	
General Fund Appropriation.....\$	2,042,714
Community College Capital Projects Fund: For bond sale expenses.....\$	44,800
<p>For distribution to the Community Colleges in accordance with chapter 28B.50 RCW. General Fund Appropriation: PROVIDED, That up to \$150,000 shall be used for the design of a viable plan for a comprehensive management information system for the community college system and the development of a cost benefit analysis: PROVIDED, That none of these moneys shall be expended for the training of personnel: PROVIDED, That \$900,000 of this appropriation shall be administered by the State Board and used exclusively for disadvantaged programs: PROVIDED, That Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to vocational-technical education: PROVIDED, That those community college districts conducting community involvement programs during the 1971-73 biennium shall continue to conduct such programs at least at the existing level of program operation: PROVIDED FURTHER, That up to \$1,430,130 shall be distributed by the State Board to the respective district boards of trustees as reimbursement for tuition fees, operating fees, and services and activities fees waived for any student who has not completed the twelfth grade and who is so enrolled for the purpose of pursuing a high school diploma or certificate.....\$</p>	
General Fund Appropriation: PROVIDED, That the State Board for Community	135,400,216

College Education shall use this appropriation or so much as necessary to attract federal matching funds for Vietnam veteran programs and to help supplement the local districts educational efforts directed toward returning Vietnam veterans.....\$ 200,000

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other authorized by chapter ... (SSB 2854), Laws of 1973 1st ex. sess. for faculty and exempt personnel: PROVIDED, That an amount equal to a 2% increase for faculty shall be distributed to each community college district: PROVIDED FURTHER, That each district board of trustees shall be authorized to utilize such funds for salary increases determined by such board to be appropriate.....\$ 2,173,112

General Fund Appropriation: For salary increases for part time faculty: PROVIDED, That these funds are for distribution to the community college districts to be used exclusively to increase the salaries and benefits of eligible part time faculty up to two-thirds of the average salary and benefits paid to full time faculty by the 1974-75 academic year; recognizing that differences exist in the responsibilities of part time faculty, the State Board for Community College Education is directed to develop a definition of eligible part time faculty prior to distribution of any of these funds to the districts and that such definition shall include a compensation plan that recognizes the specific responsibilities assigned part-time faculty members.....\$ 3,456,000

NEW SECTION. Sec. 9. Post-secondary institutions are strongly encouraged to continue to develop new and innovative programs with faculty and student participation. Implementation of

these nontraditional programs should encourage a meaningful individual educational experience, new techniques in instruction, and broader application to institutions of post-secondary education at large. A thorough report of all such programs shall be forwarded to the Legislative Budget Committee, the Interim Committee for Higher Education, the Council on Higher Education, or their successors, and the Governor, prior to any special session of the legislature convening in 1974 and the regular session in 1975.

NEW SECTION. Sec. 10. The council on higher education shall continue its assessment and evaluation of low productivity graduate degree programs at the masters and Ph.D. level, with the requirement that the council submit a report to any session of the Legislature convened in 1974 identifying specific programs which have been eliminated as a result of such evaluation.

NEW SECTION. Sec. 11. General Fund  
Appropriation:

The council on higher education may expend up to \$40,000 for the purpose of compensating moving costs and salary differentials for faculty members who are transferred among the six senior public institutions of higher education for the purpose of balancing faculty staffing with enrollment levels:  
PROVIDED, That any institution whose actual enrollment drops below the budgeted enrollment during 1973-75 shall designate and report excess faculty positions to the council on higher education which in turn will attempt to match these employees with vacancies at the other higher education institutions: PROVIDED FURTHER, That no institution shall be obligated for continuation of the contract of such transferred faculty for more than one year and shall receive the equivalent of that person's salary and fringe benefits paid by the institution from which such person was transferred.....\$ 40,000

NEW SECTION. Sec. 12. Notwithstanding the enrollment levels utilized to establish the amount of funds herein appropriated for the state four year colleges and universities, these schools may enroll 5% in excess of annual budgeted enrollment levels each year of the 1973-75 biennium: PROVIDED, That no state funds shall be used or

appropriated to support any enrollments beyond the budgeted levels for 1973-75 provided in this act: PROVIDED FURTHER, That the staff utilization formula shall be calculated only on the basis of enrollment levels budgeted by this act for any subsequent appropriation.

NEW SECTION. Sec. 13. In order to carry out the intent of the Legislature each institution which utilizes funds appropriated in this biennium for salaries of faculty and exempt personnel shall report to the 1975 Legislature the guidelines and criteria on which such funds were disbursed. At the discretion of the institution, the guidelines may or may not include consideration of recognized student evaluation and critiques of said faculty and/or exempt personnel.

NEW SECTION. Sec. 14. The words "institutions of higher education and community colleges" used herein means and includes every institution of higher education granting two year or four year degrees, whether educational, correctional, or other, and division, board and commission, except as otherwise provided in this act.

NEW SECTION. Sec. 15. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in this budget, to the institutions of higher education and community colleges for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. (a) When necessary to limit total state expenditures to available revenues as required by RCW 43.88.110(2); (b) When the institutions of higher education and community colleges propose the expenditure of a resource not disclosed in the budget request submitted to the Governor and Legislature: PROVIDED, HOWEVER, That the aggregate of allotments for the institutions of higher education and community colleges shall not exceed the total of applicable appropriations and local funds available to the institutions of higher education and community colleges. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.



(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1973; for the sole purpose of authorizing the institutions of higher education and community colleges to order goods, supplies, or services for delivery after July 1, 1973: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1973.

NEW SECTION. Sec. 16. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or in the appropriations enacted by the Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

NEW SECTION. Sec. 17. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 15. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

NEW SECTION. Sec. 18. The institutions of higher education and the community colleges are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

NEW SECTION. Sec. 19. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 20. Amounts received by the institutions of higher education and community colleges as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION. Sec. 21. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act the institutions of higher education and the community colleges may not purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

NEW SECTION. Sec. 22. All contract personal services contracts except those for medical and health care and such other contracts which the director of the office of program planning and fiscal management may exempt after consultation with the Legislative Budget Committee shall be filed with the office of program planning and fiscal management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this act.

NEW SECTION. Sec. 23. Within the rules and regulations of the Department of Personnel, as applicable, in the filling of vacant positions and in the filling of new positions of employment in state government, preference shall be given, where necessary, to nonwhite and Mexican-American applicants in order to attain the same minority employment ratio in each agency as obtains in the population of the state at large.

NEW SECTION. Sec. 24. The institutions of higher education and the community colleges are hereby authorized and directed to pay their share of the 1971-73 unemployment compensation costs in accordance with section 19, chapter 3, Laws of 1971, as determined by the Employment Security Department, from their 1973-75 operating appropriations. The director of the office of program planning and fiscal management may require the institutions of higher education and the community colleges to place funds in reserve status in order to assure that funds will be available for the purpose of this section.

NEW SECTION. Sec. 25. It is the intent of the Legislature that to the maximum extent possible, and exclusive of restricted fund

activities, the layoff of existing classified staff shall not be in greater proportion than the ratio of classified staff to total employment at the respective institutions as of April 1, 1973. The institutions of higher education may utilize all available revenues and other resources and cost-saving procedures to minimize any adverse impact on institutional programs caused by the reordering of priorities permitted in this act.

NEW SECTION. Sec. 26. 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. 27. 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: PROVIDED, That provisions of this appropriations act shall not take effect until the legislature shall have approved the entire 1973-75 biennial budget for the state of Washington.

Passed the Senate April 13, 1973.

Passed the House April 12, 1973.

Approved by the Governor April 23, 1973.

Filed in Office of Secretary of State April 24, 1973.

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CHAPTER 132  
[Substitute Senate Bill No. 2741]  
VEHICLE DEALERS--  
REGULATION

AN ACT Relating to the regulation of vehicle dealers, manufacturers, and salesmen; amending section 1, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.005; amending section 3, chapter 74, Laws of 1967 ex. sess. as amended by section 1, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.011; amending section 4, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.021; amending section 5, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.031; amending section 6, chapter 74, Laws of 1967 ex. sess. as last amended by section 1, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.041; amending section 7, chapter 74, Laws of 1967 ex. sess. as amended by section 2, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.051; amending section 13, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.061; amending section 46.70.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.070;