

person who is elected to position one shall become the chairman upon taking office.

Passed the House May 26, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 3, 1975.

Filed in Office of Secretary of State June 4, 1975.

## CHAPTER 156

[Substitute House Bill No. 126]

### CRIMES—DISPLAY OF SEXUALLY EXPLICIT MATERIAL—PENALTY

AN ACT Relating to crimes; adding a new section to chapter 9.68 RCW; and prescribing a penalty.

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

NEW SECTION. Section 1. There is added to chapter 9.68 RCW a new section to read as follows:

(1) A person is guilty of unlawful display of sexually explicit material if he knowingly exhibits such material on a viewing screen so that the sexually explicit material is easily visible from a public thoroughfare, park or playground or from one or more family dwelling units.

(2) "Sexually explicit material" as that term is used in this section means any pictorial material displaying direct physical stimulation of unclothed genitals, masturbation, sodomy (i. e. bestiality or oral or anal intercourse), flagellation or torture in the context of a sexual relationship, or emphasizing the depiction of adult human genitals: PROVIDED HOWEVER, That works of art or of anthropological significance shall not be deemed to be within the foregoing definition.

(3) Any person who violates subsection (1) of this section shall be guilty of a misdemeanor.

Passed the House May 26, 1975.

Passed the Senate May 22, 1975.

Approved by the Governor June 3, 1975.

Filed in Office of Secretary of State June 4, 1975.

## CHAPTER 157

[Substitute House Bill No. 184]

### COLLEGES AND UNIVERSITIES— SENIOR CITIZENS' TUITION WAIVER

AN ACT Relating to institutions of higher education; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

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

NEW SECTION. Section 1. In recognition of the worthwhile goal of making education a life-long process, it is the declared desire of the legislature to promote the availability of post secondary education for the state's older residents.

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:

Notwithstanding any other provision of this chapter or the laws of this state and consistent with the regulations and procedures established by the boards of trustees of the state colleges, the boards of regents of the state universities and the state board for community college education each institution may for Washington residents who are sixty years of age or older:

(1) Waive, in whole or in part, the tuition, operating and services and activities fees for students who qualify under this section and who are enrolled for credit, and

(2) Waive the tuition, operating and services and activities fees for students who qualify under this section, but charge a nominal fee not to exceed five dollars per quarter, or semester, as the case may be, for such students who are enrolled on an audit basis: PROVIDED, That residents enrolling with fee exemptions under this section shall register for not more than two quarter or semester courses at one time on a space available basis, and no new course sections shall be created as a direct result of such registration: PROVIDED FURTHER, That such waivers shall not be available to students who plan to use the course credits gained thereby for increasing credentials or salary schedule increases: PROVIDED FURTHER, That enrollment information concerning fee exemptions awarded under this section shall be maintained separately from other enrollment information but shall not be included in official enrollment reports: PROVIDED, That persons who enroll pursuant to provisions of this section shall not be considered for any purpose in determining student-teacher ratio, nor for any purpose relating to enrollment totals, nor any other statistic which would affect budgetary determinations. Persons enrolling under the provisions of this section shall have, in equal with all other students, access to course counseling services and shall be subject to all course prerequisite requirements.

Passed the House May 26, 1975.

Passed the Senate May 20, 1975.

Approved by the Governor June 3, 1975.

Filed in Office of Secretary of State June 4, 1975.

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## CHAPTER 158

[House Bill No. 267]

### POLLUTION CONTROL FACILITIES—TAX EXEMPTIONS AND CREDITS—APPEALS

AN ACT Relating to revenue and taxation; amending section 11, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.110; amending section 48, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.190; amending section 82.32.160, chapter 15, Laws of 1961 as last amended by section 49, chapter 26, Laws of 1967 ex. sess. and RCW 82.32.160; and creating a new section.

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

Section 1. Section 5, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.050 are each amended to read as follows:

(1) The original acquisition of a facility by the holder of a certificate shall be exempt from sales tax imposed by chapter 82.08 RCW and use tax imposed by chapter 82.12 RCW when the due date for payment of such taxes is subsequent to