

of the Administrative Procedure Act, chapter 34.04 RCW.

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CHAPTER 269

[Substitute Senate Bill No. 188]

VETERANS BENEFITS AND PREFERENCES--

UNIVERSITIES AND COLLEGES MAY HONOR

BANK CREDIT CARDS

AN ACT Relating to veterans' benefits and preferences; amending section 1, chapter 189, Laws of 1945 as last amended by section 1, chapter 9, Laws of 1953 ex. sess., and RCW 41.04.010; amending section 5, chapter 139, Laws of 1921 as amended by section 1, chapter 46, Laws of 1947, and RCW 28.77.070; amending section 4, chapter 164, Laws of 1921 and RCW 28.80.060; amending section 1, chapter 6, Laws of 1959 as last amended by section 1, chapter ..., Laws of 1969 (SSB 468) and RCW 41.20.050; amending section 11, chapter 91, Laws of 1947 and RCW 41.16.220; adding a new section to chapter 41.04 RCW; adding a new section to chapter 28.81 RCW; adding a new section to Title 28 RCW; repealing section 6, chapter 139, Laws of 1921 and RCW 28.77.080; amending section 28B.15.380, chapter ..., Laws of 1969 (HB 58) and RCW 28B.15.380; adding a new section to chapter ..., Laws of 1969 and to chapter 28B.40 RCW; repealing section 28B.15.390, chapter ..., Laws of 1969 (HB 58) and RCW 28B.15.390; providing sections to effect the correlative and pari matiera construction of parts of this act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW if such titles shall be enacted; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 41.04 RCW a new section to read as follows:

As used in all sections of this 1969 amendatory act "veteran" includes every person, who at the time he seeks the benefits of this 1969 amendatory act, has served in any branch of the armed forces of

the United States during:

(1) Any period of war and such "period of war" shall include World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by the congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress. The said "Viet Nam era" shall mean the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by presidential proclamation or concurrent resolution of the congress; and in addition to this subsection, who, upon termination of said service has

(2) Received an honorable discharge; or

(3) Received a discharge for physical reasons with an honorable record; or

(4) Been released from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given.

Sec. 2. Section 1, chapter 189, Laws of 1945 as last amended by section 1, chapter 9, Laws of 1953 ex. sess., and RCW 41.04.010 are each amended to read as follows:

In all competitive examinations, unless otherwise provided herein, to determine the qualifications of applicants for public offices, positions or employment, the state, and all of its political subdivisions and all municipal corporations, shall give a preference status to all veterans (~~(as herein defined, of all wars)~~) as defined in section 1 of this 1969 amendatory act (~~(in which the United States of America has been, now is or may hereafter be engaged)~~), by adding to the passing mark, grade or rating only, based upon a possible rating of one hundred points as perfect (~~(ten percent to his final earned test rating)~~) a percentage in accordance with the following: (~~PROVIDED, That he has received a minimum passing grade in such examination:~~

~~The term "veteran" as herein used, includes every person who~~

~~has served, now is serving, or may hereafter serve in any branch of the armed forces of the United States during any such war, including the Korean conflict, and, upon termination of the service, has received an honorable discharge, or a physical discharge with an honorable record, or has been relieved of active services under honorable circumstances.~~

~~The provisions of this section shall not be applicable to promotional examinations to determine the qualifications of officers or employees for promotion from a lower grade position to a higher grade position. -- PROVIDED, That when such a veteran was employed in public service at the time of his entry into military service and returns to the same employment, he shall be entitled to the preference herein provided for on his first promotional examination.)~~

(1) Ten percent to a veteran who is not receiving any veterans retirement payments and said percentage shall be utilized in said veteran's first competitive examination only and not in any promotional examination;

(2) Five percent to a veteran who is receiving any veterans retirement payments and said percentage shall be utilized in said veteran's first competitive examination only and not in any promotional examination;

(3) Five percent to a veteran who, after having previously received employment with the state or any of its political subdivisions or municipal corporations, shall be called, or recalled, to active military service for a period of one year, or more, during any period of war, for his first promotional examination only, upon compliance with RCW 73.16.035 as it now exists or may hereafter be amended;

(4) There shall be no examination preferences other than those which have been specifically provided for above and all preferences above specified in (1), (2) and (3) must be claimed by a veteran within five years of the date of his release from active service.

Sec. 3. Section 5, chapter 139, Laws of 1921, as amended by

section 1, chapter 46, Laws of 1947 and RCW 28.77.070 are each amended to read as follows:

The board of regents may exempt the following classes of persons from the payment of the fees mentioned in subdivisions (a) and (b) of ((section 1 of this act)) RCW 28.77.030 except for the individual instruction fees mentioned in said subdivision (b): (1) All ((honorably discharged service men or women who served in the armed forces of the United States during World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947, and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended, and all honorably discharged service men who served in the military or naval services of any of the governments associated with the United States during the said World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947, and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended, provided)) veterans as defined in section 1 of this 1969 amendatory act who are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: PROVIDED, They were citizens of the United States at the time of their enlistment and who are again citizens at the time of their registration in the university((?)) : AND PROVIDED FURTHER, That if any such service men have not been domiciled in this state for one year prior to registration said board may exempt them up to one-half of the fee payable by other non-domiciled students. (2) Members of the staff of the University of Washington. (3) Teachers in the public schools of the state who supervise the cadet teach-

ers from the University of Washington.

Sec. 4. Section 4, chapter 164, Laws of 1921 and RCW 28.80-.060 are each amended to read as follows:

The board of regents may exempt the following classes of persons from the payment of general tuition or incidental fees except for individual instruction fees: (1) All veterans as defined in section 1 of this 1969 amendatory act ((honorably-discharged-servicemen-who-served-in-the-military-or-naval-service-of-the-United States-during-the-late-world-war-and-all-honorably-discharged-servicemen--in-the-military--or-naval-services-of-any-of-the-governments associated-with-the-United-States--during--said--war, provided they were citizens of the United States at the time of their--enlistment and--who--are--again--citizens--at--the--time--of--their--registration-at-Washington-State-University)) : PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any of such ((servicemen)) veterans have not resided in this state for one year prior to registration said board may exempt them up to one-half of the tuition payable by other non-resident students; (2) Members of the staff of Washington State University (({3})--In case of deserving students of this state and Alaska who, after a quarter in residence have shown a marked capacity for the work done by them in school, the board of regents, may, in lieu of collecting the fees provided for in RCW 28.80.030, extend credit to said students in the amount of said fees, taking therefor the promissory note of the students with interest at the rate of four percent per annum))).

NEW SECTION. Sec.5. There is added to chapter 28.81 RCW a new section to read as follows:

The board of trustees may exempt from the payment of general tuition or incidental fees except for individual instruction fees all veterans, as defined in section 1 of this 1969 amendatory act, who are no longer entitled to receive federal vocational or educational

benefits conferred upon said veterans by virtue of their military service.

Sec. 6. Section 1, chapter 6, Laws of 1959 as last amended by section 1, chapter ..., Laws of 1969 (SSB 468) and RCW 41.20.050 are each amended to read as follows:

Whenever a person has been duly appointed, and has served honorably for a period of twenty-five years, as a member, in any capacity, of the regularly constituted police department of a city subject to the provisions of this chapter, the board, after hearing, if one is requested in writing, may order and direct that such person be retired, and the board shall retire any member so entitled, upon his written request therefor. The member so retired hereafter shall be paid from the fund during his lifetime a pension equal to fifty percent of the amount of salary at any time hereafter attached to the position held by the retired member for the year preceding the date of his retirement: PROVIDED, That, except as to a position higher than that of captain held for at least three calendar years prior to date of retirement, no such pension shall exceed an amount equivalent to fifty percent of the salary of captain, and all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957: PROVIDED FURTHER, That a person hereafter retiring who has served as a member for more than twenty-five years, shall have his pension payable under this section increased by two percent of his salary per year for each full year of such additional service to a maximum of five additional years.

Any person who has served in a position higher than the rank of captain for a minimum of three years may elect to retire at such higher position and receive for his lifetime a pension equal to fifty percent of the amount of the salary at any time hereafter attached to the position held by such retired member for the year preceding his date of retirement: PROVIDED, That such person make the said election to retire at a higher position by September 1, 1969 and at the time of making the said election, pay into the relief and

pension fund in addition to the contribution required by RCW 41.20-.130: (1) an amount equal to six percent of that portion of all monthly salaries previously received upon which a sum equal to six percent has not been previously deducted and paid into the police relief and pension fund; (2) and such person agrees to continue paying into the police relief and pension fund until the date of retirement, in addition to the contributions required by RCW 41.20.130, an amount equal to six percent of that portion of monthly salary upon which a six percent contribution is not currently deducted pursuant to RCW 41.20.130.

Any person affected by this chapter who at the time of entering the armed services was a member of such police department and (~~has honorably served in the armed services of the United States in the time of war~~) is a veteran as defined in section 1 of this 1969 amendatory act, shall have added to his period of employment as computed under this chapter, his period of war service in the armed forces, but such credited service shall not exceed five years and such period of service shall be automatically added to each member's service upon payment by him of his contribution for the period of his absence at the rate provided in RCW 41.20.130.

Sec. 7. Section 11, chapter 91, Laws of 1947 and RCW 41.16-.220 are each amended to read as follows:

Any person who was a member of the fire department and within the provisions of chapter 50, Laws of 1909, as amended, at the time he entered, and who (~~served in the armed forces of the United States in times of war and who has been discharged therefrom under conditions other than dishonorable~~) is a veteran, as defined in section 1 of this 1969 amendatory act, shall have added and accredited to his period of employment as a fireman as computed under this chapter his period of war service in such armed forces upon payment by him of his contribution for the period of his absence, at the rate provided by chapter 50, Laws of 1909, as amended, for other members: PROVIDED, HOWEVER, Such accredited service shall not in any case ex-

ceed five years.

Sec. 8. Section 28B.15.380, chapter ..., Laws of 1969 (HB 58) and RCW 28B.15.380 are each amended to read as follows:

In addition to any other exemptions as may be provided by law, the board of regents at the universities may exempt the following classes of persons from the payment of general tuition fees or incidental fees except for individual instruction fees: (1) All (~~honorably discharged service men or women who served in the armed forces of the United States during World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947, and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended, and all honorably discharged service men who served in the military or naval services of any of the governments associated with the United States during the said World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947 and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended, provided they were citizens of the United States at the time of their enlistment and who are again citizens at the time of their registration in the university. If any such service men have not been resident in this state for one year prior to registration said board may exempt them up to one-half of the fee payable by other nonresident students~~) veterans as defined in section 1 of this 1969 amendatory act: PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any such veterans have not resided in this state for one year prior to registration said



board may exempt them up to one-half of the tuition payable by other nonresident students. (2) Members of the staffs of the University of Washington and Washington State University. (3) Teachers in the public schools of the state who supervise the cadet teachers from the University of Washington.

NEW SECTION. Sec. 9. There is added to chapter ..., Laws of 1969 (HB 58) and to chapter 28B.40 RCW a new section to read as follows:

The boards of trustees may exempt from the payment of general tuition or incidental fees except for individual instruction fees all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in section 1 of this 1969 amendatory act and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service.

NEW SECTION. Sec. 10. Any state university, state college or community college may honor credit cards issued by any bank within the state of Washington for tuition, fees, or any materials or supplies required for course study.

NEW SECTION. Sec. 11. Section 6, chapter 139, Laws of 1921 and RCW 28.77.080 are each repealed.

NEW SECTION. Sec. 12. Section 28B.15.390, chapter ..., Laws of 1969 (HB 58) and RCW 28B.15.390 are each repealed on the date the 1969 education code (HB 58) becomes effective.

NEW SECTION. Sec. 13. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of sections 3, 4, 5, and 11 of the instant bill seek to change existing laws. The provisions of sections 8, 9 and 12 seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of sections 3, 4, and 5 shall

be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of sections 3, 4, and 5 shall expire and the provisions of sections 8, 9, and 12 shall concomitantly become effective. It is the further intent of the legislature that sections 8, 9, and 12 of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs then the amendatory provisions of sections 8, 9, and 12 of this bill shall be construed as amending the correlative sections of the 1969 education code, and the new or additional provisions of sections 8 and 9 shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 14. Sections 8, 9, and 12 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 on the date upon which the 1969 education code becomes effective.

NEW SECTION. Sec. 15. Section 10 of this 1969 amendatory act shall be added to Title 28 RCW unless or until the proposed education code of 1969 (HB 58) becomes effective, at which time it shall be added thereto.

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CHAPTER 270  
 [Engrossed Senate Bill No. 371]  
 CITIES AND TOWNS--1st CLASS,  
 INCORPORATION--2nd, 3rd CLASS, TOWNS,  
 COMPENSATION OF OFFICERS

AN ACT Relating to cities and towns; amending section 35.03.010, chapter 7, Laws of 1965 and RCW 35.03.010; amending section 35.03.020, chapter 7, Laws of 1965 and RCW 35.03.020; amending section 35.03.030, chapter 7, Laws of 1965 and RCW 35.03.030; amending section 35.03.040, chapter 7, Laws of 1965 and RCW 35.03.040; amending section 35.03.050; chapter 7, Laws of 1965 and RCW 35.03.050; amending section 35.23.220, chapter 7, Laws