

calculated pursuant to this section shall be distributed as the superintendent of public instruction shall direct during the first six months of fiscal year 1977.

Those local school districts which did not submit one or more excess levies for maintenance and operations for collection in 1976 and in addition experience a net per pupil expenditure, excluding transportation costs, of less than the state-wide average per student during the 1974-75 school year, shall receive an amount equal to fifty dollars per full time equivalent pupil during the 1975-76 school year.

The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall promulgate rules and regulations to effect the intent of this section.

NEW SECTION. Sec. 2. This 1975 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 House September 6, 1975.

Passed the Senate September 6, 1975.

Approved by the Governor September 9, 1975.

Filed in Office of Secretary of State September 9, 1975.

CHAPTER 8

[House Bill No. 1243]

APPROPRIATION—STATE'S LIABILITY, VALENTINE V. JOHNSTON JUDGMENT

AN ACT Relating to appropriations; and declaring an emergency.

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

NEW SECTION. Section 1. There is hereby appropriated to the department of revenue from the general fund the sum of nine hundred and fifty thousand dollars: PROVIDED, That this appropriation or so much thereof as may be necessary, shall be for the purpose of satisfying the state's liability in accordance with the judgment of the Pierce county superior court entered August 8, 1975, in the case of Valentine v. Johnston (Cause No. 197735).

NEW SECTION. Sec. 2. 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 September 6, 1975.

Passed the Senate September 6, 1975.

Approved by the Governor September 9, 1975.

Filed in Office of Secretary of State September 9, 1975.

CHAPTER 9

[Initiative Measure No. 316]

DEATH PENALTY—AGGRAVATED MURDER

AN ACT Relating to crimes and punishments; adding new sections to chapter 9A.32 RCW; defining crimes; and prescribing penalties.

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

NEW SECTION. Section 1. There is added to chapter 9A.32 RCW a new section to read as follows:

AGGRAVATED MURDER IN THE FIRST DEGREE. A person is guilty of aggravated murder in the first degree when he commits murder in the first degree as defined in RCW 9A.32.030 under or accompanied by any of the following circumstances:

(1) The victim was a law enforcement officer or fire fighter and was performing his or her official duties at the time of the killing.

(2) At the time of the act resulting in the death, the defendant was serving a term of imprisonment in a state correctional institution.

(3) The defendant committed the murder pursuant to an agreement that he receive money or other thing of value for committing the murder.

(4) The defendant had solicited another to commit the murder and had paid or agreed to pay such person money or other thing of value for committing the murder.

(5) The defendant committed the murder with intent to conceal the commission of a crime, or to protect or conceal the identity of any person committing the same, or with intent to delay, hinder or obstruct the administration of justice by preventing any person from being a witness or producing evidence in any investigation or proceeding authorized by law or by influencing any person's official action as a juror.

(6) There was more than one victim and the said murders were part of a common scheme or plan, or the result of a single act of the defendant.

(7) The defendant committed the murder in the course of or in furtherance of the crime of rape or kidnapping or in immediate flight therefrom.

NEW SECTION. Sec. 2. There is added to chapter 9A.32 RCW a new section to read as follows:

AGGRAVATED MURDER IN THE FIRST DEGREE—PENALTY. A person found guilty of aggravated murder in the first degree as defined in section 1 of this act, shall be punished by the mandatory sentence of death. Once a person is found guilty of aggravated murder in the first degree, as defined in section 1 of this act, neither the court nor the jury shall have the discretion to suspend or defer the imposition or execution of the sentence of death. Such sentence shall be automatic upon any conviction of aggravated first degree murder. The death sentence shall take place at the state penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof: **PROVIDED,** That the time of such execution shall be set by the trial judge at the time of imposing sentence and as a part thereof.

NEW SECTION. Sec. 3. There is added to chapter 9A.32 RCW a new section to read as follows:

AGGRAVATED MURDER IN THE FIRST DEGREE—LIFE IMPRISONMENT. In the event that the governor commutes a death sentence or in the event that the death penalty is held to be unconstitutional by the United States supreme court or the supreme court of the state of Washington in any of the circumstances specified in section 1 of this act, the penalty for aggravated murder in the first degree in those circumstances shall be imprisonment in the state penitentiary for life. A person sentenced to life imprisonment under this section shall not

have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never parole a prisoner or reduce the period of confinement nor release the convicted person as a result of any automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release or furlough program.

NEW SECTION. Sec. 4. There is added to chapter 9A.32 RCW a new section to read as follows:

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. 5. The section captions as used in this act are for organizational purposes only and shall not be construed as part of the law.

Filed in Office of Secretary of State May 27, 1975.

Passed by the vote of the people at the November 4, 1975 state general election.

Proclamation signed by the Governor, December 4, 1975.

CHAPTER 10

[House Bill No. 1166]

PROPERTY TAX COLLECTION—DATES

AN ACT Relating to revenue and taxation; amending section 84.56.010, chapter 15, Laws of 1961 as amended by section 2, chapter 7, Laws of 1965 ex. sess. and RCW 84.56.010; amending section 84.56.070, chapter 15, Laws of 1961 and RCW 84.56.070; providing an expiration date; and declaring an emergency.

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

Section 1. Section 84.56.010, chapter 15, Laws of 1961 as amended by section 2, chapter 7, Laws of 1965 ex. sess. and RCW 84.56.010 are each amended to read as follows:

On or before the first Monday in January next succeeding the date of levy of taxes the county auditor shall issue to the county treasurer his warrant authorizing the collection of taxes listed on the tax rolls of his county as certified by the county assessor for such assessment year, and said rolls shall be preserved as a public record in the office of the county treasurer. The amount of said taxes levied and extended upon said rolls shall be charged to the treasurer in an account to be designated as treasurer's "Tax roll account" for and said rolls with the warrants for collection shall be full and sufficient authority for the county treasurer to receive and collect all taxes therein levied: PROVIDED, That the county treasurer shall in no case collect such taxes or issue receipts for the same or enter payment or satisfaction of such taxes upon said assessment rolls before the (~~ffteenth~~) first day of (~~February~~) March following.

Sec. 2. Section 84.56.070, chapter 15, Laws of 1961 and RCW 84.56.070 are each amended to read as follows:

On the (~~fifteenth~~) first day of (~~February~~) March succeeding the levy of taxes, the county treasurer shall proceed to collect all personal property taxes. He