

2SHB 1795 - H AMD TO H AMD (H-2744.2/11) **750**

By Representative Hasegawa

FAILED 05/09/2011

1 On page 9, line 2 of the striking amendment, after "beyond" strike
2 all material through "board" on page 10, line 2 of the striking
3 amendment and insert "commensurate increases in the median family
4 income shall remit the additional tuition revenue collected in
5 financial aid to students with incomes up to one hundred and fifty
6 percent of the median family income to offset the cost of increased
7 tuition"

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9 On page 14, after line 8 of the striking amendment, insert the
10 following:

11 **"Sec. 8.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
12 read as follows:

13 (1) The building fee for each academic year shall be ((a
14 ~~percentage of total tuition fees. This percentage shall be calculated~~
15 ~~by the higher education coordinating board and be based on the actual~~
16 ~~percentage the building fee is of total tuition for each tuition~~
17 ~~category in the 1994-95 academic year, rounded up to the nearest half~~
18 ~~percent)) the actual dollar amount for the building fee as charged in
19 the 2010-11 academic year unless the median family income increases,
20 in which case the fee may increase commensurate with increases in the
21 median family income.~~

22 (2) The governing boards of each institution of higher education,
23 except for the technical colleges, shall charge to and collect from
24 each student a services and activities fee. A governing board may
25 increase the existing fee annually, consistent with budgeting
26 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
27 ((~~the annual percentage increase in student tuition fees for resident~~

1 ~~undergraduate students~~)) commensurate increases in the median family
2 income: PROVIDED, That such percentage increase shall not apply to
3 that portion of the services and activities fee previously committed
4 to the repayment of bonded debt. These rate adjustments may exceed
5 the fiscal growth factor. For the 2003-04 academic year, the services
6 and activities fee shall be based upon the resident undergraduate
7 services and activities fee in 2002-03. The services and activities
8 fee committee provided for in RCW 28B.15.045 may initiate a request to
9 the governing board for a fee increase.

10 (3) Tuition and services and activities fees consistent with
11 subsection (2) of this section shall be set by the state board for
12 community and technical colleges for community college summer school
13 students unless the community college charges fees in accordance with
14 RCW 28B.15.515.

15 (4) Subject to the limitations of RCW 28B.15.910, each governing
16 board of a community college may charge such fees for ungraded
17 courses, noncredit courses, community services courses, and self-
18 supporting courses as it, in its discretion, may determine, consistent
19 with the rules of the state board for community and technical
20 colleges.

21 (5) The governing board of a college offering an applied
22 baccalaureate degree program under RCW 28B.50.810 may charge tuition
23 fees for those courses above the associate degree level at rates
24 consistent with rules adopted by the state board for community and
25 technical colleges, not to exceed tuition fee rates at the regional
26 universities.

27 (6) For academic years 2011-12 through 2018-2019 building fees
28 shall be used solely for routine facility maintenance and utility
29 costs except for construction costs and debt services that have been
30 committed prior to the 2011-2012 academic year.

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32 **Sec. 9.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to
33 read as follows:
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1 (1) The governing boards of the state universities, the regional
2 universities, The Evergreen State College, and the community colleges
3 shall charge to and collect from each of the students registering at
4 the particular institution for any quarter or semester such tuition
5 fees and services and activities fees, and other fees as such board
6 shall in its discretion determine. The total of all fees shall be
7 rounded to the nearest whole dollar amount: PROVIDED, That such
8 tuition fees shall be established in accordance with RCW 28B.15.067
9 and provisions in Section 8 of this act.

10 (2) Part-time students shall be charged tuition and services and
11 activities fees proportionate to full-time student rates established
12 for residents and nonresidents: PROVIDED, That except for students
13 registered at community colleges, students registered for fewer than
14 two credit hours shall be charged tuition and services and activities
15 fees at the rate established for two credit hours: PROVIDED FURTHER,
16 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
17 or Oregon who are enrolled in community college district number twenty
18 for six or fewer credits during any quarter or semester may be
19 exempted from payment of all or a portion of the nonresident tuition
20 fees differential upon a declaration by the higher education
21 coordinating board that it finds Washington residents from the
22 community college district are afforded substantially equivalent
23 treatment by such other states.

24 (3) Full-time students registered for more than eighteen credit
25 hours shall be charged an additional operating fee for each credit
26 hour in excess of eighteen hours at the applicable established per
27 credit hour tuition fee rate for part-time students: PROVIDED, That,
28 subject to the limitations of RCW 28B.15.910, the governing boards of
29 the state universities and the community colleges may exempt all or a
30 portion of the additional charge, for students who are registered
31 exclusively in first professional programs in medicine, dental
32 medicine, veterinary medicine, doctor of pharmacy, or law, or who are
33 registered exclusively in required courses in vocational preparatory
34 programs."

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2 Renumber the remaining sections consecutively and correct any
3 internal references accordingly.

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5 Correct the title.

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7 On page 45, after line 28 of the striking amendment, insert the
8 following:

9 "Sec. 29. RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
10 read as follows:

11 General powers and duties of the board of regents are as follows:

12 (1) To have full control of the university and its property of
13 various kinds, except as otherwise provided by law.

14 (2) To employ the president of the university, his or her
15 assistants, members of the faculty, and employees of the institution,
16 who except as otherwise provided by law, shall hold their positions
17 during the pleasure of said board of regents.

18 (3) Establish entrance requirements for students seeking admission
19 to the university which meet or exceed the standards specified under
20 RCW 28B.76.290(2). Completion of examinations satisfactory to the
21 university may be a prerequisite for entrance by any applicant at the
22 university's discretion. Evidence of completion of public high
23 schools and other educational institutions whose courses of study meet
24 the approval of the university may be acceptable for entrance.

25 (4) Establish such colleges, schools, or departments necessary to
26 carry out the purpose of the university and not otherwise proscribed
27 by law.

28 (5) With the assistance of the faculty of the university,
29 prescribe the course of study in the various colleges, schools, and
30 departments of the institution and publish the necessary catalogues
31 thereof.

32 (6) Grant to students such certificates or degrees as recommended
33 for such students by the faculty. The board, upon recommendation of
34 the faculty, may also confer honorary degrees upon persons other than

1 graduates of this university in recognition of their learning or
2 devotion to literature, art, or science: PROVIDED, That no degree
3 shall ever be conferred in consideration of the payment of money or
4 the giving of property of whatsoever kind.

5 (7) Accept such gifts, grants, conveyances, bequests, and devises,
6 whether real or personal property, or both, in trust or otherwise, for
7 the use or benefit of the university, its colleges, schools,
8 departments, or agencies; and sell, lease or exchange, invest or
9 expend the same or the proceeds, rents, profits, and income thereof
10 except as limited by the terms of said gifts, grants, conveyances,
11 bequests, and devises. The board shall adopt proper rules to govern
12 and protect the receipt and expenditure of the proceeds of all fees,
13 and the proceeds, rents, profits, and income of all gifts, grants,
14 conveyances, bequests, and devises above-mentioned.

15 (8) Except as provided in (8)(a) and (b) of this subsection or as
16 otherwise provided by law, to enter into such contracts as the regents
17 deem essential to university purposes.

18 (a) Beginning with the 2011-12 academic year through the 2018-19
19 academic year, the board of regents may not allow total administrative
20 costs to exceed total administrative costs in the 2010-11 academic
21 year, adjusted for growth in the state median family income.

22 (b) The board of regents shall prohibit the president and any of
23 his or her assistants from sitting on any outside boards of directors
24 for which he or she would receive annual compensation exceeding ten
25 thousand dollars. This applies to all contracts entered into on or
26 after the effective date of this subsection and does not apply to
27 agreements existing on the effective date of this section, but does
28 apply to renewals or extensions of such existing agreements.

29 (9) To submit upon request such reports as will be helpful to the
30 governor and to the legislature in providing for the institution.

31 (10) Subject to the approval of the higher education coordinating
32 board pursuant to RCW 28B.76.230, offer new degree programs, offer
33 off-campus programs, participate in consortia or centers, contract for
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1 off-campus educational programs, and purchase or lease major off-
2 campus facilities.

3 (11) To confer honorary degrees upon persons who request an
4 honorary degree if they were students at the university in 1942 and
5 did not graduate because they were ordered into an internment camp.
6 The honorary degree may also be requested by a representative of
7 deceased persons who meet these requirements. For the purposes of
8 this subsection, "internment camp" means a relocation center to which
9 persons were ordered evacuated by Presidential Executive Order 9066,
10 signed February 19, 1942.

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12 **Sec. 30.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
13 read as follows:

14 The regents of Washington State University, in addition to other
15 duties prescribed by law, shall:

16 (1) Have full control of the university and its property of
17 various kinds, except as otherwise provided by law.

18 (2) Employ the president of the university, his or her assistants,
19 members of the faculty, and employees of the university, who, except
20 as otherwise provided by law, shall hold their positions during the
21 pleasure of said board of regents.

22 (3) Establish entrance requirements for students seeking admission
23 to the university which meet or exceed the standards specified under
24 RCW 28B.76.290(2). Completion of examinations satisfactory to the
25 university may be a prerequisite for entrance by any applicant, at the
26 university's discretion. Evidence of completion of public high
27 schools and other educational institutions whose courses of study meet
28 the approval of the university may be acceptable for entrance.

29 (4) Establish such colleges, schools, or departments necessary to
30 carry out the purpose of the university and not otherwise proscribed
31 by law.

32 (5) Subject to the approval of the higher education coordinating
33 board pursuant to RCW 28B.76.230, offer new degree programs, offer
34 off-campus programs, participate in consortia or centers, contract for

1 off-campus educational programs, and purchase or lease major off-
2 campus facilities.

3 (6) With the assistance of the faculty of the university,
4 prescribe the courses of instruction in the various colleges, schools,
5 and departments of the institution and publish the necessary
6 catalogues thereof.

7 (7) Collect such information as the board deems desirable as to
8 the schemes of technical instruction adopted in other parts of the
9 United States and foreign countries.

10 (8) Provide for holding agricultural institutes including farm
11 marketing forums.

12 (9) Provide that instruction given in the university, as far as
13 practicable, be conveyed by means of laboratory work and provide in
14 connection with the university one or more physical, chemical, and
15 biological laboratories, and suitably furnish and equip the same.

16 (10) Provide training in military tactics for those students
17 electing to participate therein.

18 (11) Establish a department of elementary science and in
19 connection therewith provide instruction in elementary mathematics,
20 including elementary trigonometry, elementary mechanics, elementary
21 and mechanical drawing, and land surveying.

22 (12) Establish a department of agriculture and in connection
23 therewith provide instruction in physics with special application of
24 its principles to agriculture, chemistry with special application of
25 its principles to agriculture, morphology and physiology of plants
26 with special reference to common grown crops and fungus enemies,
27 morphology and physiology of the lower forms of animal life, with
28 special reference to insect pests, morphology and physiology of the
29 higher forms of animal life and in particular of the horse, cow,
30 sheep, and swine, agriculture with special reference to the breeding
31 and feeding of livestock and the best mode of cultivation of farm
32 produce, and mining and metallurgy, appointing demonstrators in each
33 of these subjects to superintend the equipment of a laboratory and to
34 give practical instruction therein.

1 (13) Establish agricultural experiment stations in connection with
2 the department of agriculture, including at least one in the western
3 portion of the state, and appoint the officers and prescribe
4 regulations for their management.

5 (14) Grant to students such certificates or degrees, as
6 recommended for such students by the faculty.

7 (15) Confer honorary degrees upon persons other than graduates of
8 the university in recognition of their learning or devotion to
9 literature, art, or science when recommended thereto by the faculty:
10 PROVIDED, That no degree shall ever be conferred in consideration of
11 the payment of money or the giving of property of whatsoever kind.

12 (16) Adopt plans and specifications for university buildings and
13 facilities or improvements thereto and employ skilled architects and
14 engineers to prepare such plans and specifications and supervise the
15 construction of buildings or facilities which the board is authorized
16 to erect, and fix the compensation for such services. The board shall
17 enter into contracts with one or more contractors for such suitable
18 buildings, facilities, or improvements as the available funds will
19 warrant, upon the most advantageous terms offered at a public
20 competitive letting, pursuant to public notice under rules established
21 by the board. The board shall require of all persons with whom they
22 contract for construction and improvements a good and sufficient bond
23 for the faithful performance of the work and full protection against
24 all liens.

25 (17) Except as otherwise provided by law, direct the disposition
26 of all money appropriated to or belonging to the state university.

27 (18) Receive and expend the money appropriated under the act of
28 congress approved May 8, 1914, entitled "An Act to provide for
29 cooperative agricultural extension work between the agricultural
30 colleges in the several States receiving the benefits of the Act of
31 Congress approved July 2, 1862, and Acts supplemental thereto and the
32 United States Department of Agriculture" and organize and conduct
33 agricultural extension work in connection with the state university in
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1 accordance with the terms and conditions expressed in the acts of
2 congress.

3 (19) Except as provided in (19)(a) and (b) of this subsection or
4 as otherwise provided by law, to enter into such contracts as the
5 regents deem essential to university purposes.

6 (a) Beginning with the 2011-12 academic year through the 2018-19
7 academic year, the board of regents may not allow total administrative
8 costs to exceed total administrative costs in the 2010-11 academic
9 year, adjusted for growth in the state median family income.

10 (b) The board of regents shall prohibit the president and any of
11 his or her assistants from sitting on any outside boards of directors
12 for which he or she would receive annual compensation exceeding ten
13 thousand dollars. This applies to all contracts entered into on or
14 after the effective date of this subsection and does not apply to
15 agreements existing on the effective date of this section, but does
16 apply to renewals or extensions of such existing agreements.

17 (20) Acquire by lease, gift, or otherwise, lands necessary to
18 further the work of the university or for experimental or
19 demonstrational purposes.

20 (21) Establish and maintain at least one agricultural experiment
21 station in an irrigation district to conduct investigational work upon
22 the principles and practices of irrigational agriculture including the
23 utilization of water and its relation to soil types, crops, climatic
24 conditions, ditch and drain construction, fertility investigations,
25 plant disease, insect pests, marketing, farm management, utilization
26 of fruit by-products, and general development of agriculture under
27 irrigation conditions.

28 (22) Supervise and control the agricultural experiment station at
29 Puyallup.

30 (23) Establish and maintain at Wenatchee an agricultural
31 experiment substation for the purpose of conducting investigational
32 work upon the principles and practices of orchard culture, spraying,
33 fertilization, pollenization, new fruit varieties, fruit diseases and
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1 pests, by-products, marketing, management, and general horticultural
2 problems.

3 (24) Accept such gifts, grants, conveyances, devises, and
4 bequests, whether real or personal property, in trust or otherwise,
5 for the use or benefit of the university, its colleges, schools, or
6 departments; and sell, lease or exchange, invest or expend the same or
7 the proceeds, rents, profits, and income thereof except as limited by
8 the terms of said gifts, grants, conveyances, bequests, and devises;
9 and adopt proper rules to govern and protect the receipt and
10 expenditure of the proceeds of all fees, and the proceeds, rents,
11 profits, and income of all gifts, grants, conveyances, bequests, and
12 devises.

13 (25) Construct when the board so determines a new foundry and a
14 mining, physical, technological building, and fabrication shop at the
15 university, or add to the present foundry and other buildings, in
16 order that both instruction and research be expanded to include
17 permanent molding and die casting with a section for new fabricating
18 techniques, especially for light metals, including magnesium and
19 aluminum; purchase equipment for the shops and laboratories in
20 mechanical, electrical, and civil engineering; establish a pilot plant
21 for the extraction of alumina from native clays and other possible
22 light metal research; purchase equipment for a research laboratory for
23 technological research generally; and purchase equipment for research
24 in electronics, instrumentation, energy sources, plastics, food
25 technology, mechanics of materials, hydraulics, and similar fields.

26 (26) Make and transmit to the governor and members of the
27 legislature upon request such reports as will be helpful in providing
28 for the institution.

29 (27) Confer honorary degrees upon persons who request an honorary
30 degree if they were students at the university in 1942 and did not
31 graduate because they were ordered into an internment camp. The
32 honorary degree may also be requested by a representative of deceased
33 persons who meet these requirements. For the purposes of this
34 subsection, "internment camp" means a relocation center to which

1 persons were ordered evacuated by Presidential Executive Order 9066,
2 signed February 19, 1942.

3

4 **Sec. 31.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
5 read as follows:

6 In addition to any other powers and duties prescribed by law, each
7 board of trustees of the respective regional universities:

8 (1) Shall have full control of the regional university and its
9 property of various kinds, except as otherwise provided by law.

10 (2) Shall employ the president of the regional university, his
11 assistants, members of the faculty, and other employees of the
12 institution, who, except as otherwise provided by law, shall hold
13 their positions, until discharged therefrom by the board for good and
14 lawful reason.

15 (3) With the assistance of the faculty of the regional university,
16 shall prescribe the course of study in the various schools and
17 departments thereof and publish such catalogues thereof as the board
18 deems necessary: PROVIDED, That the Washington professional educator
19 standards board shall determine the requisites for and give program
20 approval of all courses leading to teacher certification by such
21 board.

22 (4) Establish such divisions, schools or departments necessary to
23 carry out the purposes of the regional university and not otherwise
24 proscribed by law.

25 (5) Except as otherwise provided by law, may establish and erect
26 such new facilities as determined by the board to be necessary for the
27 regional university.

28 (6) May acquire real and other property as provided in RCW
29 28B.10.020, as now or hereafter amended.

30 (7) Except as otherwise provided by law, may purchase all supplies
31 and purchase or lease equipment and other personal property needed for
32 the operation or maintenance of the regional university.

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1 (8) May establish, lease, operate, equip and maintain self-
2 supporting facilities in the manner provided in RCW 28B.10.300 through
3 28B.10.330, as now or hereafter amended.

4 (9) Except as provided in (9)(a) and (b) of this subsection or as
5 otherwise provided by law, to enter into such contracts as the
6 trustees deem essential to regional university purposes.

7 (a) Beginning with the 2011-12 academic year through the 2018-19
8 academic year, the board of trustees may not allow total
9 administrative costs to exceed total administrative costs in the 2010-
10 11 academic year, adjusted for growth in the state median family
11 income.

12 (b) The board of trustees shall prohibit the president and any of
13 his or her assistants from sitting on any outside boards of directors
14 for which he or she would receive annual compensation exceeding ten
15 thousand dollars. This applies to all contracts entered into on or
16 after the effective date of this subsection and does not apply to
17 agreements existing on the effective date of this section, but does
18 apply to renewals or extensions of such existing agreements.

19 (10) May receive such gifts, grants, conveyances, devises and
20 bequests of real or personal property from whatsoever source, as may
21 be made from time to time, in trust or otherwise, whenever the terms
22 and conditions thereof will aid in carrying out the regional
23 university programs; sell, lease or exchange, invest or expend the
24 same or the proceeds, rents, profits and income thereof except as
25 limited by the terms and conditions thereof; and adopt regulations to
26 govern the receipt and expenditure of the proceeds, rents, profits and
27 income thereof.

28 (11) Subject to the approval of the higher education coordinating
29 board pursuant to RCW 28B.76.230, offer new degree programs, offer
30 off-campus programs, participate in consortia or centers, contract for
31 off-campus educational programs, and purchase or lease major off-
32 campus facilities.

33 (12) May promulgate such rules and regulations, and perform all
34 other acts not forbidden by law, as the board of trustees may in its

1 discretion deem necessary or appropriate to the administration of the
2 regional university.

3
4 NEW SECTION. **Sec. 32.** The board of regents at the university of
5 Washington and the board of regents at Washington state university
6 shall each develop a plan to contain costs and make the best use of
7 public funds and tuition and other fees. In so doing, the boards
8 shall consider and evaluate the feasibility of dividing each of the
9 research institutions into two separate entities, with both an
10 undergraduate institution and a post-graduate institution. The boards
11 shall report the results of these evaluations, including evaluations
12 of possible benefits or detriments, to the governor and the
13 appropriate committees of the legislature by December 1, 2011."

14
15 Renumber the remaining sections consecutively and correct any
16 internal references accordingly.

17
18 Correct the title.

EFFECT:

- Limits increases in building fees and student and activities and other fees to commensurate increases in the median family income. Limits use of building fees to routine facilities and maintenance costs for the 2011 through the 2018 academic years except for those costs that have formerly been committed for construction projects.
- Replaces language related to a mitigation formula with a requirement for public baccalaureate institutions that increase tuition beyond commensurate increases in the median family income to remit the additional tuition revenue in financial aid to students with incomes up to 150 percent of the median family income.
- Adds the following provisions:
 - o Caps and freezes total administrative costs at the four-year institutions at 2010-11 levels, adjusted for any growth in state median family income, beginning in the 2011-12 academic year and until tuition setting authority returns to the Legislature.
 - o Prohibits the boards of regents and trustees from allowing presidents and presidential assistants at the four-year institutions from sitting on a board for which they would

receive more than \$10,000 annually. Provides that this prohibition does not impair existing contracts but applies to all new contracts and to any renewals or extensions of existing contracts.

- o Requires the UW and WSU Boards of Regents to develop plans to contain costs and make the best use of public funds and tuition and other fees. Requires these boards, by December 1, 2011, to report to the Governor and the Legislature regarding the outcome of evaluations with respect to dividing each of these universities into two separate entities, with both an undergraduate institution and a post-graduate institution.

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