

2 **ESHB 2423** - S COMM AMD
3 By Committee on Higher Education

4

5 On page 9, after line 27, insert the following:

6 "NEW SECTION. **Sec. 7.** The purpose of sections 7 through 84 of
7 this act is to correct obsolete references to the state board for
8 community college education and to correct obsolete nomenclature
9 regarding the community college and vocational education systems."

10 "**Sec. 8.** RCW 18.78.050 and 1991 c 84 s 5 are each amended to read
11 as follows:

12 The board shall conduct examinations for all applicants for
13 licensure under this chapter and shall certify qualified applicants for
14 licensure to the department. The board in consultation with the state
15 board for community and technical colleges ~~((education))~~ and the
16 superintendent of public instruction shall also determine and formulate
17 what constitutes the curriculum for approved practical nursing
18 schools/programs and shall establish criteria for minimum standards for
19 schools/programs preparing persons for licensure under this chapter.
20 The board shall establish criteria for licensure by endorsement.

21 The board may adopt rules or issue advisory opinions in response to
22 questions from professional health associations, health care
23 practitioners, and consumers in this state concerning licensed
24 practical nurse practice. The board shall establish criteria for proof
25 of reasonable currency of knowledge and skill as a basis for safe
26 practice of practical nursing.

1 The board shall adopt such rules as are necessary to fulfill the
2 purposes of this chapter pursuant to chapter 34.05 RCW."

3 "**Sec. 9.** RCW 18.88A.020 and 1991 c 16 s 2 are each amended to read
4 as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Department" means the department of health.

8 (2) "Secretary" means the secretary of health.

9 (3) "Board" means the Washington state board of nursing.

10 (4) "Nursing assistant" means an individual, regardless of title,
11 who, under the direction and supervision of a registered nurse or
12 licensed practical nurse, assists in the delivery of nursing and
13 nursing-related activities to patients in a health care facility. The
14 two levels of nursing assistants are (a) "nursing assistant-certified,"
15 an individual certified under this chapter, (b) "nursing assistant-
16 registered," an individual registered under this chapter.

17 (5) "Committee" means the Washington state nursing assistant
18 advisory committee.

19 (6) "Approved training program" means a nursing assistant-certified
20 training program approved by the board. For community college,
21 vocational-technical institutes, skill centers, and secondary school as
22 defined in chapter 28B.50 RCW, nursing assistant-certified training
23 programs shall be approved by the board in cooperation with the board
24 for community and technical colleges ~~((education))~~ or the
25 superintendent of public instruction.

26 (7) "Health care facility" means a nursing home, hospital, hospice
27 care facility, home health care agency, hospice agency, or other entity
28 for delivery of health care services as defined by the board.

1 (8) "Competency evaluation" means the measurement of an
2 individual's knowledge and skills as related to safe, competent
3 performance as a nursing assistant."

4 "Sec. 10. RCW 18.88A.070 and 1991 c 16 s 9 and 1991 c 3 s 223 are
5 each reenacted and amended to read as follows:

6 (1) The secretary has the authority to appoint an advisory
7 committee to the state board of nursing and the department to further
8 the purposes of this chapter. The committee shall be composed of ten
9 members, two members initially appointed for a term of one year, three
10 for a term of two years, and four for a term of three years.
11 Subsequent appointments shall be for terms of three years. No person
12 may serve as a member of the committee for more than two consecutive
13 terms. The committee shall consist of: A nursing assistant certified
14 under this chapter, a representative of nursing homes, a representative
15 of the office of the superintendent of public instruction, a
16 representative of the state board for community and technical colleges
17 (~~education~~), a representative of the department of social and health
18 services responsible for aging and adult services in nursing homes, a
19 consumer of nursing assistant services who shall not be or have been a
20 member of any other licensing board or committee; nor a licensee of any
21 health occupation board, an employee of any health care facility, nor
22 derive primary livelihood from the provision of health services at any
23 level of responsibility, a representative of an acute care hospital, a
24 representative of home health care, and one member who is a licensed
25 (registered) nurse and one member who is a licensed practical nurse.

26 (2) The secretary may remove any member of the advisory committee
27 for cause as specified by rule. In the case of a vacancy, the
28 secretary shall appoint a person to serve for the remainder of the
29 unexpired term.

1 (3) The advisory committee shall meet at the times and places
2 designated by the secretary or the board and shall hold meetings during
3 the year as necessary to provide advice to the secretary."

4 "Sec. 11. RCW 28A.600.130 and 1990 c 33 s 500 are each amended to
5 read as follows:

6 The higher education coordinating board shall establish a planning
7 committee to develop criteria for screening and selection of the
8 Washington scholars each year in accordance with RCW 28A.600.110(1).
9 It is the intent that these criteria shall emphasize scholastic
10 achievement but not exclude such criteria as leadership ability and
11 community contribution in final selection procedures. The Washington
12 scholars planning committee shall have members from selected state
13 agencies and private organizations having an interest and
14 responsibility in education, including but not limited to, the state
15 board of education, the office of superintendent of public instruction,
16 the council of presidents, the state board for community and technical
17 colleges ~~((education))~~, and the Washington friends of higher
18 education."

19 "Sec. 12. RCW 28A.600.390 and 1990 1st ex.s. c 9 s 410 are each
20 amended to read as follows:

21 The superintendent of public instruction, the state board for
22 community and technical colleges ~~((education))~~, and the higher
23 education coordinating board shall jointly develop and adopt rules
24 governing RCW 28A.600.300 through 28A.600.380, if rules are necessary.
25 The rules shall be written to encourage the maximum use of the program
26 and shall not narrow or limit the enrollment options under RCW
27 28A.600.300 through 28A.600.380."

1 **"Sec. 13.** RCW 28A.600.395 and 1990 1st ex.s. c 9 s 411 are each
2 amended to read as follows:

3 (1) RCW 28A.600.300 through 28A.600.390 may be implemented in up to
4 five community college districts during the 1990-91 and 1991-92 school
5 years. Any school district within any of the selected community
6 college districts may participate in the program. The five community
7 college districts shall be selected from applicants by the state board
8 for community and technical colleges ((education)). The board shall
9 select community college districts from both eastern and western
10 Washington. RCW 28A.600.300 through 28A.600.390 are applicable
11 throughout the state beginning with the 1992-93 school year.
12 Participation by community college districts under RCW 28A.600.300
13 through 28A.600.390 is in addition to agreements between school
14 districts and community college districts in effect on April 11, 1990,
15 and in the future.

16 (2) RCW 28A.600.300 through 28A.600.390 may be implemented in all
17 vocational-technical institutes beginning with the 1990-91 school year
18 and shall be implemented in all vocational-technical institutes in the
19 1991-92 school year."

20 **"Sec. 14.** RCW 28A.600.400 and 1990 1st ex.s. c 9 s 412 are each
21 amended to read as follows:

22 RCW 28A.600.300 through 28A.600.395 are in addition to and not
23 intended to adversely affect agreements between school districts and
24 community college districts, technical college districts, ((or))
25 vocational-technical institutes, or technical colleges in effect on
26 April 11, 1990, and in the future."

27 **"Sec. 15.** RCW 28A.610.030 and 1990 c 33 s 507 are each amended to
28 read as follows:

1 (1) The superintendent of public instruction, in consultation with
2 the department of community development, the department of social and
3 health services, the state board for community and technical colleges
4 (~~education~~), and community-based, nonprofit providers of adult
5 literacy services, shall develop an adult literacy program to serve
6 eligible parents as defined under RCW 28A.610.020. The program shall
7 give priority to serving parents with children who have not yet
8 enrolled in school or are in grades kindergarten through three.

9 (2) In addition to providing basic skills instruction to eligible
10 parents, the program may include other program components which may
11 include transportation, child care, and such other directly necessary
12 activities as may be necessary to accomplish the purposes of RCW
13 28A.610.020 through 28A.610.060.

14 (3) Parents who elect to participate in training or work programs,
15 as a condition of receiving public assistance, shall have the hours
16 spent in parent participation programs, conducted as part of a federal
17 head start program, or the state early childhood education and
18 assistance program under RCW 28A.215.100 through 28A.215.200 and
19 28A.215.900 through 28A.215.908, or parent literacy programs under RCW
20 28A.610.020 through 28A.610.060, counted toward the fulfillment of
21 their work and training obligation for the receipt of public
22 assistance.

23 (4) State funds as may be appropriated for project even start shall
24 be used solely to expand and complement, but not supplant, federal
25 funds for adult literary programs.

26 (5) The superintendent of public instruction shall adopt rules as
27 necessary to carry out the purposes of RCW 28A.610.020 through
28 28A.610.060."

1 **"Sec. 16.** RCW 28A.610.040 and 1987 c 518 s 107 are each amended to
2 read as follows:

3 The superintendent of public instruction is authorized and
4 directed, whenever possible, to fund or cooperatively work with
5 existing adult literacy programs and parenting related programs offered
6 through the common school and community and technical college systems,
7 vocational-technical institutes, or community-based, nonprofit
8 organizations to provide services for eligible parents before
9 developing and funding new adult literacy programs to carry out the
10 purposes of project even start."

11 **"Sec. 17.** RCW 28A.620.020 and 1985 c 344 s 2 are each amended to
12 read as follows:

13 Notwithstanding the provisions of RCW 28B.50.250, 28B.50.530 or any
14 other law, rule, or regulation, any school district is authorized to
15 provide community education programs in the form of instructional,
16 recreational and/or service programs on a noncredit and nontuition
17 basis, excluding fees for supplies, materials, or instructor costs, for
18 the purpose of stimulating the full educational potential and meeting
19 the needs of the district's residents of all ages, and making the
20 fullest use of the district's school facilities: PROVIDED, That school
21 districts are encouraged to provide programs for prospective parents,
22 prospective foster parents, and prospective adoptive parents on
23 parenting skills and on the problems of child abuse and methods to
24 avoid child abuse situations: PROVIDED FURTHER, That community
25 education programs shall be consistent with rules and regulations
26 promulgated by the state superintendent of public instruction governing
27 cooperation ((between)) among common schools, community college
28 districts, technical college districts, and other civic and
29 governmental organizations which shall have been developed in

1 cooperation with the state board for community and technical colleges
2 ((education)) and shall be programs receiving the approval of said
3 superintendent."

4 "Sec. 18. RCW 28A.630.400 and 1991 c 285 s 2 are each amended to
5 read as follows:

6 (1) The state board of education and the state board for community
7 and technical colleges ((education)), in consultation with the
8 superintendent of public instruction, the higher education coordinating
9 board, and the state apprenticeship training council(~~(, and community~~
10 ~~colleges,~~)) shall work cooperatively to develop by September 1, 1992,
11 an educational paraprofessional associate of arts degree.

12 (2) As used in this section, an "educational paraprofessional" is
13 an individual who has completed an associate of arts degree for an
14 educational paraprofessional. The educational paraprofessional may be
15 hired by a school district to assist certificated instructional staff
16 in the direct instruction of children in small and large groups,
17 individualized instruction, testing of children, recordkeeping, and
18 preparation of materials. The educational paraprofessional shall work
19 under the direction of instructional certificated staff.

20 (3) The training program for an educational paraprofessional
21 associate of arts degree shall include, but is not limited to, the
22 general requirements for receipt of an associate of arts degree and
23 training in the areas of introduction to childhood education,
24 orientation to handicapped children, fundamentals of childhood
25 education, creative activities for children, instructional materials
26 for children, fine art experiences for children, the psychology of
27 learning, introduction to education, child health and safety, child
28 development and guidance, first aid, and a practicum in a school
29 setting.

1 (4) In developing the program, consideration shall be given to
2 transferability of credit earned in this program to teacher preparation
3 programs at colleges and universities.

4 (5) The agencies identified under subsection (1) of this section
5 shall adopt rules as necessary under chapter 34.05 RCW to implement
6 this section."

7 "Sec. 19. RCW 28B.04.080 and 1985 c 370 s 42 are each amended to
8 read as follows:

9 (1) The board shall consult and cooperate with the department of
10 social and health services; the state board for community and technical
11 colleges ((~~education~~)); the superintendent of public instruction; the
12 ((~~commission for vocational education~~)) work force training and
13 education coordinating board; the employment security department; the
14 department of labor and industries; sponsoring agencies under the
15 federal comprehensive employment and training act (87 Stat. 839; 29
16 U.S.C. Sec. 801 et seq.), and any other persons or agencies as the
17 board deems appropriate to facilitate the coordination of centers
18 established under this chapter with existing programs of a similar
19 nature.

20 (2) Annually on July 1st, each agency listed in subsection (1) of
21 this section shall submit a description of each service or program
22 under its jurisdiction which would support the programs and centers
23 established by this chapter and the funds available for such support.

24 (3) The board shall serve as a clearinghouse for displaced
25 homemaker information and resources and shall compile and disseminate
26 state-wide information to the centers, related agencies, and interested
27 persons upon request."

1 **"Sec. 20.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to
2 read as follows:

3 The Washington state arts commission shall, in consultation with
4 the boards of regents of the University of Washington and Washington
5 State University and with the boards of trustees of the regional
6 universities, The Evergreen State College, and the community college
7 and technical college districts, determine the amount to be made
8 available for the purchases of art under RCW 28B.10.027, and payment
9 therefor shall be made in accordance with law. The designation of
10 projects and sites, the selection, contracting, purchase,
11 commissioning, reviewing of design, execution and placement,
12 acceptance, maintenance, and sale, exchange, or disposition of works of
13 art shall be the responsibility of the Washington state arts commission
14 in consultation with the board of regents or trustees. However, the
15 costs to carry out the Washington state arts commission's
16 responsibility for maintenance shall not be funded from the moneys
17 referred to under this section, RCW 43.17.200, 43.19.455, or
18 28A.335.210, but shall be contingent upon adequate appropriations being
19 made for that purpose."

20 **"Sec. 21.** RCW 28B.10.022 and 1989 c 356 s 6 are each amended to
21 read as follows:

22 The boards of regents of the state universities and the boards of
23 trustees of the regional universities, The Evergreen State College, and
24 the state board for community and technical colleges ((~~education~~)), are
25 severally authorized to enter into financing contracts as provided in
26 chapter 39.94 RCW. Except as provided in this section, financing
27 contracts shall be subject to the approval of the state finance
28 committee. The board of regents of a state university may enter into
29 financing contracts which are payable solely from and secured by all or

1 any component of the fees and revenues of the university derived from
2 its ownership and operation of its facilities not subject to
3 appropriation by the legislature and not constituting "general state
4 revenues," as defined in Article VIII, section 1 of the state
5 Constitution, without the prior approval of the state finance
6 committee. The board of regents shall notify the state finance
7 committee at least sixty days prior to entering into such contract and
8 provide information relating to such contract as requested by the state
9 finance committee."

10 "Sec. 22. RCW 28B.10.280 and 1977 ex.s. c 169 s 11 are each
11 amended to read as follows:

12 The boards of regents of the state universities and the boards of
13 trustees of regional universities, The Evergreen State College, and
14 community college and technical college districts may each create
15 student loan funds, and qualify and participate in the National Defense
16 Education Act of 1958 and such other similar federal student aid
17 programs as are or may be enacted from time to time, and to that end
18 may comply with all of the laws of the United States, and all of the
19 rules, regulations and requirements promulgated pursuant thereto."

20 "Sec. 23. RCW 28B.10.295 and 1975 1st ex.s. c 164 s 2 are each
21 amended to read as follows:

22 The boards of regents of the state's universities, the boards of
23 trustees of the respective state colleges, and the boards of trustees
24 of the respective community colleges, with the cooperation of the state
25 board for community and technical colleges ((education)), shall make
26 available at some place of prominence within the premises of each
27 campus educational materials on the abuses of alcohol in particular and
28 the illnesses consequent therefrom in general: PROVIDED, That such

1 materials shall be obtained from public or private organizations at no
2 cost to the state."

3 "Sec. 24. RCW 28B.10.400 and 1979 ex.s. c 259 s 1 are each amended
4 to read as follows:

5 The boards of regents of the state universities, the boards of
6 trustees of the regional universities and of The Evergreen State
7 College, and the state board for community and technical colleges
8 (~~education~~) are authorized and empowered:

9 (1) To assist the faculties and such other employees as any such
10 board may designate in the purchase of old age annuities or retirement
11 income plans under such rules and regulations as any such board may
12 prescribe. County agricultural agents, home demonstration agents, 4-H
13 club agents, and assistant county agricultural agents paid jointly by
14 the Washington State University and the several counties shall be
15 deemed to be full time employees of the Washington State University for
16 the purposes hereof;

17 (2) To provide, under such rules and regulations as any such board
18 may prescribe for the faculty members or other employees under its
19 supervision, for the retirement of any such faculty member or other
20 employee on account of age or condition of health, retirement on
21 account of age to be not earlier than the sixty-fifth birthday:
22 PROVIDED, That such faculty member or such other employee may elect to
23 retire at the earliest age specified for retirement by federal social
24 security law: PROVIDED FURTHER, That any supplemental payment
25 authorized by subsection (3) of this section and paid as a result of
26 retirement earlier than age sixty-five shall be at an actuarially
27 reduced rate;

28 (3) To pay to any such retired person or to his or her designated
29 beneficiary(s), each year after his or her retirement, a supplemental

1 amount which, when added to the amount of such annuity or retirement
2 income plan, or retirement income benefit pursuant to RCW 28B.10.415,
3 received by (~~him or his~~) the retired person or the retired person's
4 designated beneficiary(s) in such year, will not exceed fifty percent
5 of the average annual salary paid to such retired person for his or her
6 highest two consecutive years of full time service under an annuity or
7 retirement income plan established pursuant to subsection (1) of this
8 section at an institution of higher education: PROVIDED, HOWEVER, That
9 if such retired person prior to his or her retirement elected a
10 supplemental payment survivors option, any such supplemental payments
11 to such retired person or his or her designated beneficiary(s) shall be
12 at actuarially reduced rates: PROVIDED FURTHER, That if a faculty
13 member or other employee of an institution of higher education who is
14 a participant in a retirement plan authorized by this section dies, or
15 has died before retirement but after becoming eligible for retirement
16 on account of age, the designated beneficiary(s) shall be entitled to
17 receive the supplemental payment authorized by this subsection (3) of
18 this section to which such designated beneficiary(s) would have been
19 entitled had said deceased faculty member or other employee retired on
20 the date of death after electing a supplemental payment survivors
21 option: PROVIDED FURTHER, That for the purpose of this subsection, the
22 designated beneficiary(s) shall be (a) the surviving spouse of the
23 retiree; or, (b) with the written consent of such spouse, if any, such
24 other person or persons as shall have an insurable interest in the
25 retiree's life and shall have been nominated by written designation
26 duly executed and filed with the retiree's institution of higher
27 education."

28 **"Sec. 25.** RCW 28B.10.401 and 1979 ex.s. c 259 s 3 are each amended
29 to read as follows:

1 The boards of regents of the state universities, the boards of
2 trustees of the state colleges, and the state board for community and
3 technical colleges (~~(education)~~), when establishing the amount of
4 supplemental payment under RCW 28B.10.400(3) as now or hereafter
5 amended, shall apply the following assumptions:

6 (1) That the faculty member or such other employee at the time of
7 retirement elected a joint and two-thirds survivor option on (~~(their)~~)
8 his or her annuity or retirement income plan using actual ages, but not
9 exceeding a five-year age difference if married, or an actuarial
10 equivalent option if single, which represents accumulations including
11 all dividends from all matching contributions and any benefit that such
12 faculty member is eligible to receive from any Washington state public
13 retirement plan while employed at an institution of higher education;

14 (2) That on and after July 1, 1974, matching contributions were
15 allocated equally between a fixed dollar and a variable dollar annuity;

16 (3) That for each year after age fifty, the maximum amount of
17 contributions pursuant to RCW 28B.10.410 as now or hereafter amended be
18 contributed toward the purchase of such annuity or retirement income
19 plan, otherwise three-fourths of the formula described in RCW
20 28B.10.415, as now or hereafter amended, shall be applied."

21 "**Sec. 26.** RCW 28B.10.405 and 1977 ex.s. c 169 s 16 are each
22 amended to read as follows:

23 Members of the faculties and such other employees as are designated
24 by the boards of regents of the state universities, the boards of
25 trustees of the regional universities and of The Evergreen State
26 College, or the state board for community and technical colleges
27 (~~(education)~~) shall be required to contribute not less than five
28 percent of their salaries during each year of full time service after
29 the first two years of such service toward the purchase of such annuity

1 or retirement income plan; such contributions may be in addition to
2 federal social security tax contributions, if any."

3 "Sec. 27. RCW 28B.10.407 and 1987 c 448 s 1 are each amended to
4 read as follows:

5 (1) A faculty member or other employee designated by the boards of
6 regents of the state universities, the boards of trustees of the
7 regional universities and The Evergreen State College, or the state
8 board for community and technical colleges (~~(education)~~) who is granted
9 an authorized leave of absence without pay may apply the period of time
10 while on the leave in the computation of benefits in any annuity and
11 retirement plan authorized under RCW 28B.10.400 through 28B.10.430 only
12 to the extent provided in subsection (2) of this section.

13 (2) An employee who is eligible under subsection (1) of this
14 section may receive a maximum of two years' credit during the
15 employee's entire working career for periods of authorized leave
16 without pay. Such credit may be obtained only if the employee pays
17 both the employer and employee contributions required under RCW
18 28B.10.405 and 28B.10.410 while on the authorized leave of absence and
19 if the employee returns to employment with the university or college
20 immediately following the leave of absence for a period of not less
21 than two years. The employee and employer contributions shall be based
22 on the average of the employee's compensation at the time the leave of
23 absence was authorized and the time the employee resumes employment.
24 Any benefit under RCW 28B.10.400(3) shall be based only on the
25 employee's compensation earned from employment with the university or
26 college.

27 An employee who is inducted into the armed forces of the United
28 States shall be deemed to be on an unpaid, authorized leave of
29 absence."

1 **"Sec. 28.** RCW 28B.10.410 and 1977 ex.s. c 169 s 17 are each
2 amended to read as follows:

3 The boards of regents of the state universities, the boards of
4 trustees of the regional universities and of The Evergreen State
5 College, or the state board for community and technical colleges
6 (~~(education)~~) shall pay not more than one-half of the annual premium of
7 any annuity or retirement income plan established under the provisions
8 of RCW 28B.10.400 as now or hereafter amended. Such contribution shall
9 not exceed ten percent of the salary of the faculty member or other
10 employee on whose behalf the contribution is made. This contribution
11 may be in addition to federal social security tax contributions made by
12 the boards, if any."

13 **"Sec. 29.** RCW 28B.10.415 and 1979 ex.s. c 259 s 2 are each amended
14 to read as follows:

15 The boards of regents of the state universities, the boards of
16 trustees of the regional universities and of The Evergreen State
17 College, or the state board for community and technical colleges
18 (~~(education)~~) shall not pay any amount to be added to the annuity or
19 retirement income plan of any retired person who has served for less
20 than ten years in one or more of the state institutions of higher
21 education. In the case of persons who have served more than ten years
22 but less than twenty-five years no amount shall be paid in excess of
23 four percent of the amount authorized in subdivision (3) of RCW
24 28B.10.400 as now or hereafter amended, multiplied by the number of
25 years of full time service rendered by such person: PROVIDED, That
26 credit for years of service at an institution of higher education shall
27 be limited to those years in which contributions were made by a faculty
28 member or other employee designated pursuant to RCW 28B.10.400(1) and
29 the institution or the state as a result of which a benefit is being

1 received by a retired person from any Washington state public
2 retirement plan: PROVIDED FURTHER, That all such benefits that a
3 retired person is eligible to receive shall reduce any supplementation
4 payments provided for in RCW 28B.10.400 as now or hereafter amended."

5 "Sec. 30. RCW 28B.10.420 and 1979 c 14 s 1 are each amended to
6 read as follows:

7 (1) Except as provided otherwise in subsection (2) of this section,
8 faculty members or other employees designated by the boards of regents
9 of the state universities, the boards of trustees of the regional
10 universities or of The Evergreen State College, or the state board for
11 community and technical colleges ~~((education))~~ pursuant to RCW
12 28B.10.400 through 28B.10.420 as now or hereafter amended shall be
13 retired from their employment with their institutions of higher
14 education not later than the end of the academic year next following
15 their seventieth birthday.

16 (2) As provided in this subsection, the board of regents of a state
17 university, the board of trustees of a regional university or The
18 Evergreen State College, or the state board for community and technical
19 colleges ~~((education))~~ may reemploy any person who is "retired"
20 pursuant to subsection (1) of this section, who applies for
21 reemployment and who has reached seventy years of age on or after July
22 1, 1970. The following provisions shall govern such reemployment:

23 (a) Prior to the reemployment, the board of regents, board of
24 trustees, or state board shall have found that the person possesses
25 outstanding qualifications which in the judgment of the board would
26 permit the person to continue valuable service to the institution.

27 (b) The period of reemployment shall not be counted as service
28 under, or result in any eligibility for benefits or increased benefits
29 under, any state authorized or supported annuity or retirement income

1 plan. Reemployment shall not result in the reemployed person or
2 employer making any contributions to any such plan.

3 (c) No person may be reemployed on a full time basis if such person
4 is receiving benefits under any state authorized or supported annuity
5 or retirement income plan. The reemployment of any person on a full
6 time basis shall be immediately terminated upon the person's obtaining
7 of any such benefits.

8 (d) A person may be reemployed on a part time basis and receive or
9 continue to receive any benefits for which such person is eligible
10 under any state authorized or supported annuity or retirement income
11 plan. Such part time work, however, shall not exceed forty percent of
12 full time employment during any year.

13 (e) A person reemployed pursuant to this section shall comply with
14 all conditions of reemployment and all rules providing for the
15 administration of this subsection which are prescribed or adopted by
16 the board of regents, or board of trustees, or by the state board for
17 community and technical colleges ~~((education))~~."

18 "**Sec. 31.** RCW 28B.10.700 and 1977 ex.s. c 169 s 31 are each
19 amended to read as follows:

20 The state board for community and technical colleges ~~((education))~~,
21 the boards of trustees of the regional universities and of The
22 Evergreen State College, and the boards of regents of the state
23 universities, with appreciation of the legislature's desire to
24 emphasize physical education courses in their respective institutions,
25 shall provide for the same, being cognizant of legislative guide lines
26 put forth in RCW 28A.230.050 relating to physical education courses in
27 high schools."

1 **"Sec. 32.** RCW 28B.10.840 and 1985 c 370 s 57 are each amended to
2 read as follows:

3 The term "institution of higher education" whenever used in RCW
4 28B.10.840 through 28B.10.844, shall be held and construed to mean any
5 public institution of higher education in Washington. The term
6 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,
7 shall be held and construed to mean the state board for community and
8 technical colleges ((~~education~~)) and the higher education coordinating
9 board."

10 **"Sec. 33.** RCW 28B.15.502 and 1991 c 353 s 2 are each amended to
11 read as follows:

12 Tuition fees and services and activities fees at each community
13 college other than at summer quarters shall be as follows:

14 (1) For full time resident students, the total tuition fees shall
15 be twenty-three percent of the per student educational costs at the
16 community colleges computed as provided in RCW 28B.15.067 and
17 28B.15.070: PROVIDED, That the building fees for each academic year
18 shall be one hundred and twenty-seven dollars and fifty cents.

19 (2) For full time nonresident students, the total tuition fees
20 shall be one hundred percent of the per student educational costs at
21 the community colleges computed as provided in RCW 28B.15.067 and
22 28B.15.070: PROVIDED, That the building fees for each academic year
23 shall be four hundred and three dollars and fifty cents.

24 (3) The boards of trustees of each of the state community colleges
25 shall charge and collect equally from each of the students registering
26 at the particular institution and included in subsections (1) and (2)
27 hereof a services and activities fee which for each year of the 1981-83
28 biennium shall not exceed sixty-four dollars and fifty cents. In
29 subsequent biennia the board of trustees may increase the existing fee,

1 consistent with budgeting procedures set forth in RCW 28B.15.045, by a
2 percentage not to exceed the percentage increase in tuition fees
3 authorized in subsection (1) above: PROVIDED, That such percentage
4 increase shall not apply to that portion of the services and activities
5 fee previously committed to the repayment of bonded debt. The services
6 and activities fee committee provided for in RCW 28B.15.045 may
7 initiate a request to the governing board for a fee increase.

8 (4) Tuition and services and activities fees consistent with the
9 above schedule will be fixed by the state board for community and
10 technical colleges for summer school students unless the community
11 college charges fees in accordance with RCW 28B.15.515.

12 The board of trustees shall charge such fees for ungraded courses,
13 noncredit courses, community services courses, and self-supporting
14 short courses as it, in its discretion, may determine, not inconsistent
15 with the rules and regulations of the state board for community and
16 technical colleges (~~(education)~~)."

17 "Sec. 34. RCW 28B.15.522 and 1985 c 390 s 27 are each amended to
18 read as follows:

19 (1) The boards of trustees of the community college districts may
20 waive the tuition and services and activities fees for persons under
21 subsection (2) of this section pursuant to the following conditions:

22 (a) Such persons shall register for and be enrolled in courses on
23 a space available basis and new course sections shall not be created as
24 a result of the registration;

25 (b) Enrollment information on persons registered pursuant to this
26 section shall be maintained separately from other enrollment
27 information and shall not be included in official enrollment reports,
28 nor shall such persons be considered in any enrollment statistics which
29 would affect budgetary determinations; and

1 (c) Persons who enroll under this section shall have the same
2 access to support services as do all other students and shall be
3 subject to all course prerequisite requirements.

4 (2) A person is eligible for the waiver under subsection (1) of
5 this section if the person:

6 (a) Meets the requirements for a resident student under RCW
7 28B.15.011 through 28B.15.015;

8 (b) Is twenty-one years of age or older;

9 (c) At the time of initial enrollment under subsection (1) of this
10 section, has not attended an institution of higher education for the
11 previous six months;

12 (d) Is not receiving or is not entitled to receive unemployment
13 compensation of any nature under Title 50 RCW; and

14 (e) Has an income at or below the need standard established under
15 chapter 74.04 RCW by the department of social and health services.

16 (3) The state board for community and technical colleges
17 (~~education~~) shall adopt rules to carry out this section."

18 "**Sec. 35.** RCW 28B.15.535 and 1985 c 390 s 28 are each amended to
19 read as follows:

20 (1) The boards of regents of the state universities and the boards
21 of trustees of regional universities, The Evergreen State College, and
22 community colleges may waive the tuition and services and activities
23 fees for full-time employees of their respective institutions of higher
24 education enrolled in said institutions' courses on a space available
25 basis pursuant to the following conditions:

26 (a) Employees shall register for and be enrolled in courses on a
27 space available basis, and no new course sections shall be created as
28 a direct result of such registration;

1 (b) Enrollment information on employees registered on a space
2 available basis shall be maintained separately from other enrollment
3 information and shall not be included in official enrollment reports,
4 nor shall persons enrolled pursuant to the provisions of this section
5 be considered in any enrollment statistics which would affect budgetary
6 determinations;

7 (c) Employees registering on a space available basis shall be
8 charged a registration fee of not less than five dollars.

9 (2) The governing boards of the respective colleges and
10 universities may waive tuition and services and activities fees for
11 full-time intercollegiate center for nursing education, cooperative
12 extension service, and agricultural research employees of Washington
13 State University for such employees stationed off the Pullman, Whitman
14 county campus: PROVIDED, That such waiver complies with the conditions
15 spelled out in subsection (1)(a), (b), and (c) above.

16 (3) The boards of regents of the state universities, the boards of
17 trustees of the regional universities and The Evergreen State College,
18 and the state board for community and technical colleges ((education))
19 with respect to community colleges, shall adopt guidelines for the
20 implementation of employee waivers granted pursuant to this section."

21 "**Sec. 36.** RCW 28B.15.540 and 1985 c 390 s 29 are each amended to
22 read as follows:

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

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

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

25 "Sec. 37. RCW 28B.15.730 and 1985 c 370 s 69 are each amended to
26 read as follows:

27 (1) The state board for community and technical colleges
28 (~~education~~) and the boards of trustees for community college
29 districts thirteen, fourteen, sixteen, nineteen, and twenty, for Lower

1 Columbia, Clark, Yakima Valley, Columbia Basin, and Walla Walla
2 community colleges, respectively, and the board of trustees for The
3 Evergreen State College, for any program it offers in Vancouver, shall
4 waive the payment of nonresident tuition and fees by residents of
5 Oregon, upon completion of an agreement between the higher education
6 coordinating board and appropriate officials and agencies in Oregon
7 granting similar waivers for residents of Cowlitz, Clark, Wahkiakum,
8 Skamania, and Klickitat counties, Washington, who qualify for junior or
9 senior standing to attend Portland State University at the
10 undergraduate level.

11 (2) The state board for community and technical colleges
12 (~~education~~) and the boards of trustees of the state's community
13 colleges, The Evergreen State College, and the regional universities
14 and the boards of regents of the University of Washington and
15 Washington State University shall waive the payment of nonresident
16 tuition and fees by residents of Oregon, upon completion of and to the
17 extent permitted by an agreement between the higher education
18 coordinating board and appropriate officials and agencies in Oregon
19 granting similar waivers for residents of the state of Washington."

20 "Sec. 38. RCW 28B.15.732 and 1985 c 370 s 70 are each amended to
21 read as follows:

22 Prior to January 1 of each odd-numbered year the higher education
23 coordinating board, in cooperation with the state board for community
24 and technical colleges (~~education~~), and in consultation with
25 appropriate agencies and officials in the state of Oregon, shall
26 determine for the purposes of RCW 28B.15.730 the number of students for
27 whom nonresident tuition and fees have been waived for the first
28 academic year of the biennium and the fall term of the second academic
29 year, and make an estimate of the number of such students for the

1 remainder of the second academic year, and the difference between the
2 aggregate amount of tuition and fees that would have been paid to the
3 respective states by residents of the other state had such waivers not
4 been made, and the aggregate amount of tuition and fees paid by
5 residents of the other state. Should the board determine that the
6 state of Oregon has experienced a greater net tuition and fee revenue
7 loss than institutions in Washington, it shall pay from funds
8 appropriated for this purpose to the appropriate agency or institutions
9 in Oregon an amount determined by subtracting the net tuition and fee
10 revenue loss of Washington from the net tuition and fee revenue loss of
11 Oregon, minus twenty-five thousand dollars for each year of the
12 biennium: PROVIDED, That appropriate officials in the state of Oregon
13 agree to make similar restitution to the state of Washington should the
14 net tuition and fee revenue loss in Washington be greater than that in
15 Oregon."

16 "Sec. 39. RCW 28B.15.740 and 1989 c 340 s 2 are each amended to
17 read as follows:

18 (1) The boards of trustees or regents of each of the state's
19 regional universities, The Evergreen State College, or state
20 universities, and the various community colleges, consistent with
21 regulations and procedures established by the state board for community
22 and technical colleges (~~(education)~~), may waive, in whole or in part,
23 tuition and services and activities fees subject to the limitations set
24 forth in subsections (2) and (3).

25 (2) Except as provided in subsection (3) of this section, the total
26 dollar amount of tuition and fee waivers awarded by any state
27 university, regional university, or state college, shall not exceed
28 four percent, and for the community colleges considered as a whole,
29 such amount shall not exceed three percent of an amount determined by

1 estimating the total collections from tuition and services and
2 activities fees had no such waivers been made and deducting the portion
3 of that total amount which is attributable to the difference between
4 resident and nonresident fees: PROVIDED, That at least three-fourths
5 of the dollars waived shall be for needy students who are eligible for
6 resident tuition and fee rates pursuant to RCW 28B.15.012 through
7 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars
8 waived, not to exceed one-fourth of the total, may be applied to other
9 students at the discretion of the board of trustees or regents, except
10 on the basis of participation in intercollegiate athletic programs:
11 PROVIDED FURTHER, That the waivers for undergraduate and graduate
12 students of foreign nations under RCW 28B.15.556 are not subject to the
13 limitation under this section.

14 (3) In addition to the tuition and fee waivers provided in
15 subsection (2) of this section and subject to the provisions of RCW
16 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
17 waivers awarded by any state university, regional university, or state
18 college, not to exceed one percent, as calculated in subsection (2) of
19 this section, may be used for the purpose of achieving or maintaining
20 gender equity in intercollegiate athletic programs. At any institution
21 that has an underrepresented gender class in intercollegiate athletics,
22 any such waivers shall be awarded:

23 (a) First, to members of the underrepresented gender class who
24 participate in intercollegiate athletics, where such waivers result in
25 saved or displaced money that can be used for athletic programs for the
26 underrepresented gender class. Such saved or displaced money shall be
27 used for programs for the underrepresented gender class; and

28 (b) Second, (i) to nonmembers of the underrepresented gender class
29 who participate in intercollegiate athletics, where such waivers result
30 in saved or displaced money that can be used for athletic programs for

1 members of the underrepresented gender class. Such saved or displaced
2 money shall be used for programs for the underrepresented gender class;
3 or (ii) to members of the underrepresented gender class who participate
4 in intercollegiate athletics, where such waivers do not result in any
5 saved or displaced money that can be used for athletic programs for
6 members of the underrepresented gender class."

7 "Sec. 40. RCW 28B.15.750 and 1985 c 370 s 73 are each amended to
8 read as follows:

9 The state board for community and technical colleges ((education))
10 and the boards of trustees of the state's community colleges, The
11 Evergreen State College, and the regional universities and boards of
12 regents of the University of Washington and Washington State University
13 shall waive the payment of nonresident tuition and fees by residents of
14 Idaho, upon completion of and to the extent permitted by an agreement
15 between the higher education coordinating board and appropriate
16 officials and agencies in Idaho granting similar waivers for residents
17 of the state of Washington."

18 "Sec. 41. RCW 28B.15.752 and 1985 c 370 s 74 are each amended to
19 read as follows:

20 Prior to January 1 of each odd-numbered year, the higher education
21 coordinating board, in cooperation with the state board for community
22 and technical colleges ((education)) and in consultation with
23 appropriate agencies and officials in the state of Idaho, shall
24 determine for the purposes of RCW 28B.15.750 the number of students for
25 whom nonresident tuition and fees have been waived for the first
26 academic year of the biennium and the fall term of the second academic
27 year, and make an estimate of the number of such students for the
28 remainder of the second academic year, and the difference between the

1 aggregate amount of tuition and fees that would have been paid to the
2 respective states by residents of the other state had such waivers not
3 been made, and the aggregate amount of tuition and fees paid by
4 residents of the other state. Should the board determine that the
5 state of Idaho has experienced a greater net tuition and fee revenue
6 loss than institutions in Washington, it shall pay from funds
7 appropriated for this purpose to the appropriate agency or institution
8 in Idaho an amount determined by subtracting the net tuition and fee
9 revenue loss of Washington from the net tuition and fee revenue loss of
10 Idaho, minus twenty-five thousand dollars for each year of the biennium
11 if the appropriate officials in the state of Idaho agree to make
12 similar restitution to the state of Washington should the net tuition
13 and fee revenue loss in Washington be greater than that in Idaho."

14 "Sec. 42. RCW 28B.15.756 and 1987 c 446 s 2 are each amended to
15 read as follows:

16 The boards of trustees of The Evergreen State College and the
17 regional universities, the state board for community and technical
18 colleges ((~~education~~)), and the boards of regents of the University of
19 Washington and Washington State University shall waive the payment of
20 nonresident tuition and fees by residents of the Canadian province of
21 British Columbia, upon completion of and to the extent permitted by an
22 agreement between the higher education coordinating board and
23 appropriate officials and agencies in the Canadian province of British
24 Columbia providing for enrollment opportunities for residents of the
25 state of Washington without payment of tuition or fees in excess of
26 those charged to residents of British Columbia."

27 "Sec. 43. RCW 28B.15.820 and 1985 c 390 s 35 are each amended to
28 read as follows:

1 (1) Each institution of higher education shall deposit two and one-
2 half percent of revenues collected from tuition and services and
3 activities fees in an institutional long-term loan fund which is hereby
4 created and which shall be held locally. Moneys in such fund shall be
5 used to make guaranteed loans to eligible students except as provided
6 for in subsection (10) of this section.

7 (2) An "eligible student" for the purposes of this section is a
8 student registered for at least six credit hours or the equivalent, who
9 is eligible for resident tuition and fee rates as defined in RCW
10 28B.15.012 through 28B.15.015, and who is a "needy student" as defined
11 in RCW 28B.10.802.

12 (3) The amount of the loans made under subsection (1) of this
13 section shall not exceed the demonstrated financial need of the
14 student. Each institution shall establish loan terms and conditions
15 which shall be consistent with the terms of the guaranteed loan program
16 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
17 amended. All loans made shall be guaranteed by the Washington student
18 loan guaranty association or its successor agency. Institutions are
19 hereby granted full authority to operate as an eligible lender under
20 the guaranteed loan program.

21 (4) Before approving a guaranteed loan, each institution shall
22 analyze the ability of the student to repay the loan based on factors
23 which include, but are not limited to, the student's accumulated total
24 education loan burdens and the employment opportunities and average
25 starting salary characteristics of the student's chosen fields of
26 study. The institution shall counsel the student on the advisability
27 of acquiring additional debt, and on the availability of other forms of
28 financial aid.

29 (5) Each institution is responsible for collection of loans made
30 under subsection (1) of this section and shall exercise due diligence

1 in such collection, maintaining all necessary records to insure that
2 maximum repayments are made. Institutions shall cooperate with other
3 lenders and the Washington student loan guaranty association, or its
4 successor agency, in the coordinated collection of guaranteed loans,
5 and shall assure that the guarantability of the loans is not violated.
6 Collection and servicing of loans under subsection (1) of this section
7 shall be performed by entities approved for such servicing by the
8 Washington student loan guaranty association or its successor agency:
9 PROVIDED, That institutions be permitted to perform such servicing if
10 specifically recognized to do so by the Washington student loan
11 guaranty association or its successor agency. Collection and servicing
12 of loans made by community colleges under subsection (1) of this
13 section shall be coordinated by the state board for community and
14 technical colleges ~~((education))~~ and shall be conducted under
15 procedures adopted by such state board.

16 (6) Receipts from payment of interest or principal or any other
17 subsidies to which institutions as lenders are entitled, which are paid
18 by or on behalf of borrowers of funds under subsection (1) of this
19 section, shall be deposited in each institution's general local fund
20 and shall be used to cover the costs of making the loans under
21 subsection (1) of this section and maintaining necessary records and
22 making collections under subsection (5) of this section: PROVIDED,
23 That such costs shall not exceed five percent of aggregate outstanding
24 loan principle. Institutions shall maintain accurate records of such
25 costs, and all receipts beyond those necessary to pay such costs, shall
26 be used for the support of the institution's operating budget.

27 (7) The boards of regents of the state universities, the boards of
28 trustees of the regional universities and The Evergreen State College,
29 and the state board for community and technical colleges ~~((education))~~,

1 on behalf of the community colleges, shall each adopt necessary rules
2 and regulations to implement this section.

3 (8) Lending activities under this section shall be directed toward
4 students who would not normally have access to educational loans from
5 private financial institutions in Washington state, and maximum use
6 shall be made of secondary markets in the support of loan
7 consolidation.

8 (9) Short-term interim loans, not to exceed one hundred twenty
9 days, may be made from the institutional long-term loan fund to
10 students eligible for guaranteed student loans and whose receipt of
11 such loans is pending. Such short-term loans shall not be subject to
12 the guarantee restrictions or the constraints of federal law imposed by
13 subsection (3) of this section. No such loan shall be made to any
14 student who is known by the institution to be in default or delinquent
15 in the payment of any outstanding student loan.

16 (10) Any moneys deposited in the institutional long-term loan fund
17 which are not used in making long or short term loans or transferred to
18 institutional operating budgets may be used by the institution for
19 locally-administered financial aid programs for needy students, such as
20 need-based institutional employment programs or need-based tuition and
21 fee waiver programs. These funds shall be used in addition to and not
22 to replace institutional funds which would otherwise support these
23 locally-administered financial aid programs. Priority in the use of
24 these funds shall be given to needy students who have accumulated
25 excessive educational loan burdens. An excessive educational loan
26 burden is a burden that will be difficult to repay given employment
27 opportunities and average starting salaries in the student's chosen
28 fields of study."

1 **"Sec. 44.** RCW 28B.16.020 and 1985 c 461 s 8 and 1985 c 365 s 2 are
2 each reenacted and amended to read as follows:

3 Unless the context clearly indicates otherwise, the words used in
4 this chapter have the meaning given in this section.

5 (1) "Institutions of higher education" are the University of
6 Washington, Washington State University, Central Washington University,
7 Eastern Washington University, Western Washington University, The
8 Evergreen State College, and the various state community colleges;

9 (2) "Board" means the higher education personnel board established
10 under the provisions of RCW 28B.16.060;

11 (3) "Related boards" means the state board for community and
12 technical colleges ((education)) and the higher education personnel
13 board; and such other boards, councils and commissions related to
14 higher education as may be established;

15 (4) "Classified service" means all positions at the institutions of
16 higher education subject to the provisions of this chapter;

17 (5) "Comparable worth" means the provision of similar salaries for
18 positions that require or impose similar responsibilities, judgments,
19 knowledge, skills, and working conditions;

20 (6) "Competitive service" means all positions in the classified
21 service for which a competitive examination is required as a condition
22 precedent to appointment;

23 (7) "Noncompetitive service" means all positions in the classified
24 service for which a competitive examination is not required;

25 (8) "Affirmative action" means a procedure by which racial
26 minorities, women, persons in the protected age category, persons with
27 disabilities, Vietnam-era veterans, and disabled veterans are provided
28 with increased employment opportunities. It shall not mean any sort of
29 quota system."

1 **"Sec. 45.** RCW 28B.16.040 and 1990 c 60 s 201 are each amended to
2 read as follows:

3 The following classifications, positions, and employees of
4 institutions of higher education and related boards are hereby exempted
5 from coverage of this chapter:

6 (1) Members of the governing board of each institution and related
7 boards, all presidents, vice presidents and their confidential
8 secretaries, administrative and personal assistants; deans, directors,
9 and chairmen; academic personnel; and executive heads of major
10 administrative or academic divisions employed by institutions of higher
11 education; and any employee of a community college district whose place
12 of work is one which is physically located outside the state of
13 Washington and who is employed pursuant to RCW 28B.50.092 and assigned
14 to an educational program operating outside of the state of Washington.

15 (2) Student, part time, or temporary employees, and part time
16 professional consultants, as defined by the higher education personnel
17 board, employed by institutions of higher education and related boards.

18 (3) The director, his or her confidential secretary, assistant
19 directors, and professional education employees of the state board for
20 community and technical colleges ((~~education~~)).

21 (4) The personnel director of the higher education personnel board
22 and his or her confidential secretary.

23 (5) The governing board of each institution, and related boards,
24 may also exempt from this chapter, subject to the employees right of
25 appeal to the higher education personnel board, classifications
26 involving research activities, counseling of students, extension or
27 continuing education activities, graphic arts or publications
28 activities requiring prescribed academic preparation or special
29 training, and principal assistants to executive heads of major
30 administrative or academic divisions, as determined by the higher

1 education personnel board: PROVIDED, That no nonacademic employee
2 engaged in office, clerical, maintenance, or food and trade services
3 may be exempted by the higher education personnel board under this
4 provision.

5 Any classified employee having civil service status in a classified
6 position who accepts an appointment in an exempt position shall have
7 the right of reversion to the highest class of position previously
8 held, or to a position of similar nature and salary.

9 A person occupying an exempt position who is terminated from the
10 position for gross misconduct or malfeasance does not have the right of
11 reversion to a classified position as provided for in this section."

12 "Sec. 46. RCW 28B.16.060 and 1984 c 287 s 63 are each amended to
13 read as follows:

14 (1) There is hereby created a state higher education personnel
15 board composed of three members appointed by the governor, subject to
16 confirmation by the senate. The first such board shall be appointed
17 within thirty days after the effective date of this chapter for terms
18 of two, four, and six years. Each odd-numbered year thereafter the
19 governor shall appoint a member for a six-year term. Persons so
20 appointed shall have clearly demonstrated an interest and belief in the
21 merit principle, shall not hold any other employment with the state,
22 shall not have been an officer of a political party for a period of one
23 year immediately prior to such appointment, and shall not be or become
24 a candidate for partisan elective public office during the term to
25 which they are appointed.

26 (2) Each member of the board shall be compensated in accordance
27 with RCW 43.03.250. Members of the board shall also be reimbursed for
28 travel expenses incurred in the discharge of their official duties in
29 accordance with RCW 43.03.050 and 43.03.060.

1 (3) At its first meeting following the appointment of all of its
2 members, and annually thereafter, the board shall elect a chairman and
3 vice chairman from among its members to serve one year. The presence
4 of at least two members of the board shall constitute a quorum to
5 transact business. A written public record shall be kept by the board
6 of all actions of the board.

7 (4) The board shall appoint a personnel director who shall be the
8 chief staff officer for the board. In preparing matters for
9 consideration by the board and in coordinating the implementation of
10 the board's rules and regulations, the personnel director shall work in
11 conjunction with the campus personnel officers and their staffs at each
12 institution of higher education, and in the case of community colleges,
13 with the state board for community and technical colleges
14 (~~(education)~~). When necessary, the personnel director may request the
15 creation of task forces drawn from the four-year institutions of higher
16 education, and representatives of the various state community colleges
17 through the state board for community and technical colleges
18 (~~(education)~~), for the accomplishment of any projects undertaken by the
19 board. The director may employ necessary personnel for the board, and
20 the board may appoint and compensate hearing officers to hear and
21 conduct appeals. The board shall establish an office for the conduct
22 of its business."

23 "Sec. 47. RCW 28B.16.080 and 1969 ex.s. c 36 s 8 are each amended
24 to read as follows:

25 Each institution of higher education and each related board shall
26 designate an officer who shall perform duties as personnel officer.
27 The personnel officer at each institution or related board shall
28 direct, supervise, and manage administrative and technical personnel
29 activities for the classified service at the institution or related

1 board consistent with policies established by the institution or
2 related board and in accordance with the provisions of this chapter and
3 the rules and regulations approved and promulgated thereunder.
4 Institutions may undertake jointly with one or more other institutions
5 to appoint a person qualified to perform the duties of personnel
6 officer, provide staff and financial support and may engage consultants
7 to assist in the performance of specific projects. The services of the
8 state department of personnel may also be utilized by the institutions
9 or related boards pursuant to RCW 41.06.080.

10 The state board for community and technical colleges ((education))
11 shall have general supervision and control over activities undertaken
12 by the various state community colleges pursuant to this section."

13 "Sec. 48. RCW 28B.16.090 and 1969 ex.s. c 36 s 9 are each amended
14 to read as follows:

15 It shall be the duty of the personnel board to promulgate rules and
16 regulations providing for employee participation in the development and
17 administration of personnel policies. To assure this right, personnel
18 policies, rules, classification and pay plans, and amendments thereto,
19 shall be acted on only after the board has given twenty days' notice
20 to, and considered proposals from, employee representatives and
21 institutions or related boards affected. In matters involving the
22 various state community colleges, notice shall also be given to the
23 state board for community and technical colleges ((education)).
24 Complete and current compilations of all rules and regulations of the
25 board in printed, mimeographed, or multigraphed form shall be available
26 from the board without charge."

27 "Sec. 49. RCW 28B.16.100 and 1990 c 60 s 202 are each amended to
28 read as follows:

1 The higher education personnel board shall adopt rules, consistent
2 with the purposes and provisions of this chapter and with the best
3 standards of personnel administration, regarding the basis and
4 procedures to be followed for:

5 (1) The dismissal, suspension, or demotion of an employee, and
6 appeals therefrom;

7 (2) Certification of names for vacancies, including promotions,
8 with the number of names equal to four more names than there are
9 vacancies to be filled, such names representing applicants rated
10 highest on eligibility lists: PROVIDED, That when other applicants
11 have scores equal to the lowest score among the names certified, their
12 names shall also be certified;

13 (3) Examination for all positions in the competitive and
14 noncompetitive service;

15 (4) Appointments;

16 (5) Probationary periods of six to twelve months and rejections
17 therein, depending on the job requirements of the class;

18 (6) Transfers;

19 (7) Sick leaves and vacations;

20 (8) Hours of work;

21 (9) Layoffs when necessary and subsequent reemployment, both
22 according to seniority;

23 (10) Determination of appropriate bargaining units within any
24 institution or related boards: PROVIDED, That in making such
25 determination the board shall consider the duties, skills, and working
26 conditions of the employees, the history of collective bargaining by
27 the employees and their bargaining representatives, the extent of
28 organization among the employees, and the desires of the employees;

29 (11) Certification and decertification of exclusive bargaining
30 representatives: PROVIDED, That after certification of an exclusive

1 bargaining representative and upon the representative's request, the
2 director shall hold an election among employees in a bargaining unit to
3 determine by a majority whether to require as a condition of employment
4 membership in the certified exclusive bargaining representative on or
5 after the thirtieth day following the beginning of employment or the
6 date of such election, whichever is the later, and the failure of an
7 employee to comply with such condition of employment constitutes cause
8 for dismissal: PROVIDED FURTHER, That no more often than once in each
9 twelve-month period after expiration of twelve months following the
10 date of the original election in a bargaining unit and upon petition of
11 thirty percent of the members of a bargaining unit the director shall
12 hold an election to determine whether a majority wish to rescind such
13 condition of employment: PROVIDED FURTHER, That for purposes of this
14 clause, membership in the certified exclusive bargaining representative
15 is satisfied by the payment of monthly or other periodic dues and does
16 not require payment of initiation, reinstatement, or any other fees or
17 fines and includes full and complete membership rights: AND PROVIDED
18 FURTHER, That in order to safeguard the right of nonassociation of
19 public employees, based on bona fide religious tenets or teachings of
20 a church or religious body of which such public employee is a member,
21 such public employee shall pay to the union, for purposes within the
22 program of the union as designated by such employee that would be in
23 harmony with his or her individual conscience, an amount of money
24 equivalent to regular union dues minus any included monthly premiums
25 for union-sponsored insurance programs, and such employee shall not be
26 a member of the union but is entitled to all the representation rights
27 of a union member;

28 (12) Agreements between institutions or related boards and
29 certified exclusive bargaining representatives providing for grievance
30 procedures and collective negotiations on all personnel matters over

1 which the institution or the related board may lawfully exercise
2 discretion;

3 (13) Written agreements may contain provisions for payroll
4 deductions of employee organization dues upon authorization by the
5 employee member and for the cancellation of such payroll deduction by
6 the filing of a proper prior notice by the employee with the
7 institution and the employee organization: PROVIDED, That nothing
8 contained herein permits or grants to any employee the right to strike
9 or refuse to perform his or her official duties;

10 (14) Adoption and revision of comprehensive classification plans
11 for all positions in the classified service, based on investigation and
12 analysis of the duties and responsibilities of each such position;

13 (15) Allocation and reallocation of positions within the
14 classification plan;

15 (16) Adoption and revision of salary schedules and compensation
16 plans which reflect the prevailing rates in Washington state private
17 industries and other governmental units for positions of a similar
18 nature but the rates in the salary schedules or plans shall be
19 increased if necessary to attain comparable worth under an
20 implementation plan under RCW 28B.16.116 and which shall be competitive
21 in the state or the locality in which the institution or related boards
22 are located, such adoption, revision, and implementation subject to
23 approval as to availability of funds by the director of financial
24 management in accordance with the provisions of chapter 43.88 RCW, and
25 after consultation with the chief financial officer of each institution
26 or related board for that institution or board, or in the case of
27 community colleges, by the chief financial officer of the state board
28 for community and technical colleges ((~~education~~)) for the various
29 community colleges;

1 (17) Training programs including in-service, promotional, and
2 supervisory;

3 (18) Increment increases within the series of steps for each pay
4 grade based on length of service for all employees whose standards of
5 performance are such as to permit them to retain job status in the
6 classified service;

7 (19) Providing for veteran's preference as provided by existing
8 statutes, with recognition of preference in regard to layoffs and
9 subsequent reemployment for veterans and their widows by giving such
10 eligible veterans and their widows additional credit in computing their
11 seniority by adding to their unbroken higher education service, as
12 defined by the board, the veteran's service in the military not to
13 exceed five years of such service. For the purposes of this section,
14 "veteran" means any person who has one or more years of active military
15 service in any branch of the armed forces of the United States or who
16 has less than one year's service and is discharged with a disability
17 incurred in the line of duty or is discharged at the convenience of the
18 government and who, upon termination of such service, has received an
19 honorable discharge, a discharge for physical reasons with an honorable
20 record, or a release from active military service with evidence of
21 service other than that for which an undesirable, bad conduct, or
22 dishonorable discharge shall be given: PROVIDED, HOWEVER, That the
23 widow of a veteran is entitled to the benefits of this section
24 regardless of the veteran's length of active military service:
25 PROVIDED FURTHER, That for the purposes of this section "veteran" does
26 not include any person who has voluntarily retired with twenty or more
27 years of active military service and whose military retirement pay is
28 in excess of five hundred dollars per month;

29 (20) Assuring that persons who are or have been employed in
30 classified positions under chapter 41.06 RCW will be eligible for

1 employment, reemployment, transfer, and promotion in respect to
2 classified positions covered by this chapter; and

3 (21) Assuring that any person who is or has been employed in a
4 classified position under this chapter will be eligible for employment,
5 reemployment, transfer, and promotion in respect to classified
6 positions at any other institution of higher education or related
7 board.

8 (22) Affirmative action in appointment, promotion, transfer,
9 recruitment, training, and career development; development and
10 implementation of affirmative action goals and timetables; and
11 monitoring of progress against those goals and timetables.

12 The board shall consult with the human rights commission in the
13 development of rules consistent with federal guidelines pertaining to
14 affirmative action. The board shall transmit a report annually to the
15 human rights commission which states the progress each institution of
16 higher education has made in meeting affirmative action goals and
17 timetables."

18 "Sec. 50. RCW 28B.16.190 and 1969 ex.s. c 36 s 19 are each amended
19 to read as follows:

20 A disbursing officer shall not pay any employee holding a position
21 covered by this chapter unless the employment is in accordance with
22 this chapter or the rules, regulations, and orders issued hereunder.
23 The board and the institutions of higher education including the state
24 board for community and technical colleges ((education)) which shall
25 act for the various state community colleges shall jointly establish
26 procedures for the certification of payrolls."

27 "Sec. 51. RCW 28B.16.200 and 1979 c 151 s 18 are each amended to
28 read as follows:

1 There is hereby created a fund within the state treasury,
2 designated as the "higher education personnel board service fund," to
3 be used by the board as a revolving fund for the payment of salaries,
4 wages, and operations required for the administration of the provisions
5 of this chapter, the budget for which shall be subject to review and
6 approval and appropriation by the legislature. An amount not to exceed
7 one-half of one percent of the salaries and wages for all positions in
8 the classified service shall be contributed from the operations
9 appropriations of each institution and the state board for community
10 and technical colleges (~~(education)~~) and credited to the higher
11 education personnel board service fund as such allotments are approved
12 pursuant to chapter 43.88 RCW. Subject to the above limitations, such
13 amount shall be charged against the allotments pro rata, at a rate to
14 be fixed by the director of financial management from time to time,
15 which will provide the board with funds to meet its anticipated
16 expenditures during the allotment period.

17 Moneys from the higher education personnel board service fund shall
18 be disbursed by the state treasurer by warrants on vouchers duly
19 authorized by the board."

20 "**Sec. 52.** RCW 28B.50.030 and 1991 c 315 s 15 and 1991 c 238 s 22
21 are each reenacted and amended to read as follows:

22 As used in this chapter, unless the context requires otherwise, the
23 term:

24 (1) "System" shall mean the state system of community and technical
25 colleges, which shall be a system of higher education.

26 (2) "Board" shall mean the work force training and education
27 coordinating board.

28 (3) "College board" shall mean the state board for community and
29 technical colleges created by this chapter.

1 (4) "Director" shall mean the administrative director for the state
2 system of community and technical colleges.

3 (5) "District" shall mean any one of the community (~~and~~) college
4 or technical college districts created by this chapter.

5 (6) "Board of trustees" shall mean the local community (~~and~~)
6 college or technical college board of trustees established for each
7 college district within the state.

8 (7) "Occupational education" shall mean that education or training
9 that will prepare a student for employment that does not require a
10 baccalaureate degree.

11 (8) "K-12 system" shall mean the public school program including
12 kindergarten through the twelfth grade.

13 (9) "Common school board" shall mean a public school district board
14 of directors.

15 (10) "Community college" shall include those higher education
16 institutions that conduct education programs under RCW 28B.50.020.

17 (11) "Technical college" shall include those higher education
18 institutions with the sole mission of conducting occupational
19 education, basic skills, literacy programs, and offering on short
20 notice, when appropriate, programs that meet specific industry needs.
21 The programs of technical colleges shall include, but not be limited
22 to, continuous enrollment, competency-based instruction, industry-
23 experienced faculty, curriculum integrating vocational and basic skills
24 education, and curriculum approved by representatives of employers and
25 labor. For purposes of this chapter, technical colleges shall include
26 Lake Washington Vocational-Technical Institute, Renton Vocational-
27 Technical Institute, Bates Vocational-Technical Institute, Clover Park
28 Vocational Institute, and Bellingham Vocational-Technical Institute.

29 (12) "Adult education" shall mean all education or instruction,
30 including academic, vocational education or training, basic skills and

1 literacy training, and "occupational education" provided by public
2 educational institutions, including common school districts for persons
3 who are eighteen years of age and over or who hold a high school
4 diploma or certificate. However, "adult education" shall not include
5 academic education or instruction for persons under twenty-one years of
6 age who do not hold a high school degree or diploma and who are
7 attending a public high school for the sole purpose of obtaining a high
8 school diploma or certificate, nor shall "adult education" include
9 education or instruction provided by any four year public institution
10 of higher education.

11 (13) "Dislocated forest product worker" shall mean a forest
12 products worker who: (a)(i) Has been terminated or received notice of
13 termination from employment and is unlikely to return to employment in
14 the individual's principal occupation or previous industry because of
15 a diminishing demand for his or her skills in that occupation or
16 industry; or (ii) is self-employed and has been displaced from his or
17 her business because of the diminishing demand for the business's
18 services or goods; and (b) at the time of last separation from
19 employment, resided in or was employed in a timber impact area.

20 (14) "Forest products worker" shall mean a worker in the forest
21 products industries affected by the reduction of forest fiber
22 enhancement, transportation, or production. The workers included
23 within this definition shall be determined by the employment security
24 department, but shall include workers employed in the industries
25 assigned the major group standard industrial classification codes "24"
26 and "26" and the industries involved in the harvesting and management
27 of logs, transportation of logs and wood products, processing of wood
28 products, and the manufacturing and distribution of wood processing and
29 logging equipment. The commissioner may adopt rules further
30 interpreting these definitions. For the purposes of this subsection,

1 "standard industrial classification code" means the code identified in
2 RCW 50.29.025(6)(c).

3 (15) "Timber impact area" shall mean a county having a population
4 of less than five hundred thousand, or a city or town located within a
5 county having a population of less than five hundred thousand, and
6 meeting two of the following three criteria, as determined by the
7 employment security department, for the most recent year such data is
8 available: (a) A lumber and wood products employment location quotient
9 at or above the state average; (b) projected or actual direct lumber
10 and wood products job losses of one hundred positions or more, except
11 counties having a population greater than two hundred thousand but less
12 than five hundred thousand must have direct lumber and wood products
13 job losses of one thousand positions or more; or (c) an annual
14 unemployment rate twenty percent or more above the state average."

15 **"Sec. 53.** RCW 28B.50.258 and 1991 c 315 s 16 are each amended to
16 read as follows:

17 To the extent that funds are specifically appropriated therefor,
18 the state board for community and technical colleges ~~((education))~~
19 shall provide training and retraining in timber impact areas as
20 follows:

21 (1) Disbursement of funds to individual community colleges for
22 supplemental slots in cases where enrollment demand exceeds allocation;

23 (2) Pilot projects for innovative approaches to literacy and
24 employment training. Pilot projects may include, but are not limited
25 to:

26 (a) Training for cranberry industry research, coordinated by the
27 Washington State University coastal research unit, Long Beach;

28 (b) Training through Grays Harbor Community College for dislocated
29 forest products workers to fill positions as safety training and vessel

1 inspectors. They shall contract with those organizations deemed
2 appropriate to carry out this program;

3 (c) Training through Skagit Valley Community College for dislocated
4 forest products workers in natural resources technical programs in
5 stream enhancement, including waters upstream or downstream as well as
6 adjacent to state lands; water quality enhancement; irrigation repair;
7 and the building of shellfish beds;

8 (d) Training for agricultural development, diversification,
9 marketing, and processing programs in timber impact areas.

10 Nothing in subsection (2) of this section shall be construed to
11 provide priority for the projects listed in subsection (2) of this
12 section.

13 For the purposes of this section, the number of full-time
14 equivalent students to be served during any biennium shall be
15 determined by the applicable omnibus appropriations act and shall be in
16 addition to the community college enrollment level funded by the
17 applicable omnibus appropriations act."

18 **"Sec. 54.** RCW 28B.50.259 and 1991 c 315 s 17 are each amended to
19 read as follows:

20 (1) The state board for community and technical colleges
21 (~~education~~) shall administer a program designed to provide higher
22 education opportunities to dislocated forest products workers and their
23 unemployed spouses who are enrolled in a community or technical college
24 for ten or more credit hours per quarter. In administering the program,
25 the college board shall have the following powers and duties:

26 (a) With the assistance of an advisory committee, design a
27 procedure for selecting dislocated forest products workers to
28 participate in the program;

1 (b) Allocate funding to community and technical colleges attended
2 by participants;

3 (c) Monitor the program and report on participants' progress and
4 outcomes; and

5 (d) Report to the legislature by December 1, 1993, on the status of
6 the program.

7 (2) Unemployed spouses of eligible dislocated forest products
8 workers may participate in the program, but tuition and fees may be
9 waived under the program only for the worker or the spouse and not
10 both.

11 (3) The boards of trustees of the community and technical colleges
12 shall waive tuition and fees for program participants, for a maximum of
13 six quarters within a two-year period.

14 (4) During any biennium, the number of full-time equivalent
15 students to be served in this program shall be determined by the
16 applicable omnibus appropriations act, and shall be in addition to the
17 community college enrollment level funded by the applicable omnibus
18 appropriations act."

19 "Sec. 55. RCW 28B.80.280 and 1985 c 370 s 27 are each amended to
20 read as follows:

21 The board shall, in cooperation with the state institutions of
22 higher education and the state board for community and technical
23 colleges ((~~education~~)), establish and maintain a state-wide transfer of
24 credit policy and agreement. The policy and agreement shall, where
25 feasible, include course and program descriptions consistent with
26 state-wide interinstitutional guidelines. The institutions of higher
27 education shall provide support and staff resources as necessary to
28 assist in developing and maintaining this policy and agreement. The
29 state-wide transfer of credit policy and agreement shall be effective

1 beginning with the 1985-86 academic year. The board shall report on
2 developments toward that objective at the 1987 regular session of the
3 legislature."

4 "Sec. 56. RCW 28B.80.320 and 1985 c 370 s 3 are each amended to
5 read as follows:

6 The purpose of the board is to provide planning, coordination,
7 monitoring, and policy analysis for higher education in the state of
8 Washington in cooperation and consultation with the institutions'
9 autonomous governing boards and with all other segments of
10 postsecondary education, including but not limited to the state board
11 for community and technical colleges (~~(education)~~) and the (~~(commission~~
12 ~~for vocational education)~~) work force training and education
13 coordinating board. The legislature intends that the board represent
14 the broad public interest above the interests of the individual
15 colleges and universities."

16 "Sec. 57. RCW 28B.80.330 and 1985 c 370 s 4 are each amended to
17 read as follows:

18 The board shall perform the following planning duties in
19 consultation with the four-year institutions, the community and
20 technical college system, and when appropriate the (~~(commission for~~
21 ~~vocational education)~~) work force training and education coordinating
22 board, (~~(the superintendent of public instruction for the vocational-~~
23 ~~technical institutes,)~~) and the independent higher educational
24 institutions:

25 (1) Develop and establish role and mission statements for each of
26 the four-year institutions and for the community and technical college
27 system;

1 (2) Identify the state's higher education goals, objectives, and
2 priorities;

3 (3) Prepare a comprehensive master plan which includes but is not
4 limited to:

5 (a) Assessments of the state's higher education needs. These
6 assessments may include, but are not limited to: The basic and
7 continuing needs of various age groups; business and industrial needs
8 for a skilled (~~workforce~~) work force; analyses of demographic,
9 social, and economic trends; consideration of the changing ethnic
10 composition of the population and the special needs arising from such
11 trends; college attendance, retention, and dropout rates, and the needs
12 of recent high school graduates and placebound adults. The board
13 should consider the needs of residents of all geographic regions, but
14 its initial priorities should be applied to heavily populated areas
15 underserved by public institutions;

16 (b) Recommendations on enrollment and other policies and actions to
17 meet those needs;

18 (c) Guidelines for continuing education, adult education, public
19 service, and other higher education programs.

20 The initial plan shall be submitted to the governor and the
21 legislature by December 1, 1987. Comments on the plan from the board's
22 advisory committees and the institutions shall be submitted with the
23 plan.

24 The plan shall be updated biennially, and presented to the governor
25 and the appropriate legislative policy committees. Following public
26 hearings, the legislature shall, by concurrent resolution, approve or
27 recommend changes to the initial plan, and the biennial updates. The
28 plan shall then become state higher education policy unless legislation
29 is enacted to alter the policies set forth in the plan;

1 (4) Review, evaluate, and make recommendations on operating and
2 capital budget requests from four-year institutions and the community
3 and technical college system, based on the elements outlined in
4 subsections (1), (2), and (3) of this section, and on guidelines which
5 outline the board's fiscal priorities. These guidelines shall be
6 distributed to the institutions and the state board for community and
7 technical colleges (~~board~~) by December of each odd-numbered year.
8 The institutions and the community college board shall submit an
9 outline of their proposed budgets, identifying major components, to the
10 board no later than August 1 of each even-numbered year. The board
11 shall submit recommendations on the proposed budgets and on the board's
12 budget priorities to the office of financial management before October
13 15 of each even-numbered year, and to the legislature by January 1 of
14 each odd-numbered year;

15 (5) Recommend legislation affecting higher education;

16 (6) Recommend tuition and fees policies and levels based on
17 comparisons with peer institutions;

18 (7) Establish priorities and develop recommendations on financial
19 aid based on comparisons with peer institutions;

20 (8) Prepare recommendations on merging or closing institutions; and

21 (9) Develop criteria for identifying the need for new baccalaureate
22 institutions."

23 "**Sec. 58.** RCW 28B.80.350 and 1988 c 172 s 4 are each amended to
24 read as follows:

25 The board shall coordinate educational activities among all
26 segments of higher education taking into account the educational
27 programs, facilities, and other resources of both public and
28 independent two and four-year colleges and universities. The four-year
29 institutions and the state board for community and technical colleges

1 ((education)) shall coordinate information and activities with the
2 board. The board shall have the following additional responsibilities:

- 3 (1) Promote interinstitutional cooperation;
- 4 (2) Establish minimum admission standards for four-year
5 institutions, including a requirement that coursework in sign language
6 shall satisfy any foreign language requirement the board or the
7 institutions may establish as a general undergraduate admissions
8 requirement;
- 9 (3) Establish transfer policies;
- 10 (4) Adopt rules implementing statutory residency requirements;
- 11 (5) Develop and administer reciprocity agreements with bordering
12 states and the province of British Columbia;
- 13 (6) Review and recommend compensation practices and levels for
14 administrative employees, exempt under chapter 28B.16 RCW, and faculty
15 using comparative data from peer institutions;
- 16 (7) Monitor higher education activities for compliance with all
17 relevant state policies for higher education;
- 18 (8) Arbitrate disputes between and among four-year institutions or
19 between and among four-year institutions and community colleges at the
20 request of one or more of the institutions involved, or at the request
21 of the governor, or from a resolution adopted by the legislature. The
22 decision of the board shall be binding on the participants in the
23 dispute;
- 24 (9) Establish and implement a state system for collecting,
25 analyzing, and distributing information;
- 26 (10) Recommend to the governor and the legislature ways to remove
27 any economic incentives to use off-campus program funds for on-campus
28 activities; and

1 (11) Make recommendations to increase minority participation, and
2 monitor and report on the progress of minority participation in higher
3 education."

4 "Sec. 59. RCW 28B.80.430 and 1987 c 330 s 301 are each amended to
5 read as follows:

6 The board shall employ a director and may delegate agency
7 management to the director. The director shall serve at the pleasure
8 of the board, shall be the executive officer of the board, and shall,
9 under the board's supervision, administer the provisions of this
10 chapter. The executive director shall, with the approval of the board:

11 (1) Employ necessary deputy and assistant directors and other exempt
12 staff under chapter 28B.16 RCW who shall serve at his or her pleasure
13 on such terms and conditions as he or she determines and (2) subject to
14 the provisions of chapter 28B.16 RCW, appoint and employ such other
15 employees as may be required for the proper discharge of the functions
16 of the board. The executive director shall exercise such additional
17 powers, other than rulemaking, as may be delegated by the board by
18 resolution. In fulfilling the duties under this chapter, the board
19 shall make extensive use of those state agencies with responsibility
20 for implementing and supporting postsecondary education plans and
21 policies including but not limited to appropriate legislative groups,
22 the postsecondary education institutions, the office of financial
23 management, the ~~((commission for vocational education))~~ work force
24 training and education coordinating board, and the state board for
25 community and technical colleges ~~((education))~~. Outside consulting and
26 service agencies may also be employed. The board may compensate these
27 groups and consultants in appropriate ways."

1 **"Sec. 60.** RCW 28B.80.555 and 1991 c 228 s 8 are each amended to
2 read as follows:

3 In consultation with the advisory committee on access to higher
4 education for students with disabilities the board shall:

5 (1) Inventory existing campus and agency resources available to
6 address the accommodation needs of students with disabilities;

7 (2) Distribute the inventory to institutions of higher education
8 and to the superintendent of public instruction for further
9 distribution to appropriate personnel in the K-12 system;

10 (3) Survey institutions of higher education and students with
11 disabilities to identify specific services that have been requested but
12 not provided;

13 (4) Report the results of the survey, with recommendations on a
14 phased plan to meet identified needs in priority order, to the
15 governor, the house of representatives and senate higher education and
16 fiscal committees, and the institutions of higher education;

17 (5) In coordination with the state board for community and
18 technical colleges ~~((education))~~, conduct a state-wide training
19 workshop for coordinators of services for students with disabilities."

20 **"Sec. 61.** RCW 28B.110.040 and 1989 c 341 s 4 are each amended to
21 read as follows:

22 The executive director of the higher education coordinating board,
23 in consultation with the council of presidents and the state board for
24 community and technical colleges ~~((education))~~, shall monitor the
25 compliance by institutions of higher education with this chapter.

26 (1) The board shall establish a timetable and guidelines for
27 compliance with this chapter.

1 (2) By September 30, 1990, each institution shall complete a self-
2 study on its compliance with the requirements listed in RCW
3 28B.110.030.

4 (3) By November 30, 1990, each institution shall submit to the
5 board for approval a plan to comply with the requirements of RCW
6 28B.110.030. The plan shall contain measures to ensure institutional
7 compliance with the provisions of this chapter by September 30, 1994.
8 If participation in activities, such as intercollegiate athletics and
9 matriculation in academic programs is not proportionate to the
10 percentages of male and female enrollment, the plan should outline
11 efforts to identify barriers to equal participation and to encourage
12 gender equity in all aspects of college and university life.

13 (4) The board shall report biennially, beginning December 31, 1990,
14 to the governor and the higher education committees of the house of
15 representatives and the senate on institutional efforts to comply with
16 this chapter. The report shall include recommendations on measures to
17 assist institutions with compliance.

18 (5) The board may delegate to the state board for community and
19 technical colleges ~~((education))~~ any or all responsibility for
20 community college compliance with the provisions of this chapter."

21 "**Sec. 62.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to
22 read as follows:

23 The board shall establish a planning committee to assist it in
24 developing criteria for the selection of participants. The board shall
25 include on the planning committee representatives of the department,
26 the department of social and health services, appropriate
27 representatives from health care facilities, provider groups,
28 consumers, the state board ~~((of))~~ for community and technical colleges
29 ~~((education))~~, the superintendent of public instruction, and other

1 appropriate public and private agencies and organizations. The
2 criteria may require that some of the participants meet the definition
3 of "needy student" under RCW 28B.10.802."

4 "Sec. 63. RCW 28B.120.020 and 1991 c 98 s 3 are each amended to
5 read as follows:

6 The higher education coordinating board shall have the following
7 powers and duties in administering the program:

8 (1) To adopt rules necessary to carry out the program;

9 (2) To establish one or more review committees to assist in the
10 evaluation of proposals for funding. The review committee shall
11 include individuals with significant experience in higher education in
12 areas relevant to one or more of the funding period priorities;

13 (3) To establish each biennium specific guidelines for submitting
14 grant proposals consistent with the overall goals of the program.
15 During the 1991-93 biennium the guidelines shall be consistent with the
16 following priorities: (a) Minority and diversity initiatives that
17 encourage the participation of minorities in higher education,
18 including students with disabilities, at a rate consistent with their
19 proportion of the population; (b) K-12 teacher preparation models that
20 encourage collaboration between higher education and K-12 to improve
21 the preparedness of teachers, including provisions for higher education
22 faculty involved with teacher preparation to spend time teaching in
23 K-12 schools; and (c) articulation and transfer activities to smooth
24 the transfer of students from K-12 to higher education, or from the
25 community colleges to four-year institutions. After June 30, 1993, and
26 each biennium thereafter, the board shall determine funding priorities
27 for collaborative proposals for the biennium in consultation with the
28 governor, the legislature, the office of the superintendent of public
29 instruction, the state board for community and technical colleges

1 ((education)), the ((state board for vocational education)) work force
2 training and education coordinating board, higher education
3 institutions, educational associations, and business and community
4 groups consistent with state-wide needs;

5 (4) To solicit grant proposals and provide information to the
6 institutions of higher education about the program; and

7 (5) To establish reporting, monitoring, and dissemination
8 requirements for the recipients of the grants."

9 "Sec. 64. RCW 28B.125.010 and 1991 c 332 s 5 are each amended to
10 read as follows:

11 (1) The higher education coordinating board, the state board for
12 community and technical colleges ((education)), the superintendent of
13 public instruction, the state department of health, and the state
14 department of social and health services, to be known for the purposes
15 of this section as the committee, shall establish a state-wide health
16 personnel resource plan. The governor shall appoint a lead agency from
17 one of the agencies on the committee.

18 In preparing the state-wide plan the committee shall consult with
19 the training and education institutions affected by this chapter,
20 health care providers, employers of health care providers, insurers,
21 consumers of health care, and other appropriate entities.

22 Should a successor agency or agencies be authorized or created by
23 the legislature with planning, coordination, or administrative
24 authority over vocational-technical schools, community colleges, or
25 four-year higher education institutions, the governor shall grant
26 membership on the committee to such agency or agencies and remove the
27 member or members it replaces.

28 The committee shall appoint subcommittees for the purpose of
29 assisting in the development of the institutional plans required under

1 this chapter. Such subcommittees shall at least include those
2 committee members that have statutory responsibility for planning,
3 coordination, or administration of the training and education
4 institutions for which the institutional plans are being developed. In
5 preparing the institutional plans for four-year institutes of higher
6 education, the subcommittee shall be composed of at least the higher
7 education coordinating board and the state's four-year higher education
8 institutions. The appointment of subcommittees to develop portions of
9 the state-wide plan shall not relinquish the committee's responsibility
10 for assuring overall coordination, integration, and consistency of the
11 state-wide plan.

12 In establishing and implementing the state-wide health personnel
13 resource plan the committee shall, to the extent possible, utilize
14 existing data and information, personnel, equipment, and facilities and
15 shall minimize travel and take such other steps necessary to reduce the
16 administrative costs associated with the preparation and implementation
17 of the plan.

18 (2) The state-wide health resource plan shall include at least the
19 following:

20 (a)(i) Identification of the type, number, and location of the
21 health care professional work force necessary to meet health care needs
22 of the state.

23 (ii) A description and analysis of the composition and numbers of
24 the potential work force available for meeting health care service
25 needs of the population to be used for recruitment purposes. This
26 should include a description of the data, methodology, and process used
27 to make such determinations.

28 (b) A centralized inventory of the numbers of student applications
29 to higher education and vocational-technical training and education
30 programs, yearly enrollments, yearly degrees awarded, and numbers on

1 waiting lists for all the state's publicly funded health care training
2 and education programs. The committee shall request similar
3 information for incorporation into the inventory from private higher
4 education and vocational-technical training and education programs.

5 (c) A description of state-wide and local specialized provider
6 training needs to meet the health care needs of target populations and
7 a plan to meet such needs in a cost-effective and accessible manner.

8 (d) A description of how innovative, cost-effective technologies
9 such as telecommunications can and will be used to provide higher
10 education, vocational-technical, continued competency, and skill
11 maintenance and enhancement education and training to placebound
12 students who need flexible programs and who are unable to attend
13 institutions for training.

14 (e) A strategy for assuring higher education and vocational-
15 technical educational and training programming is sensitive to the
16 changing work force such as reentry workers, women, minorities, and the
17 disabled.

18 (f) A strategy and coordinated state-wide policy developed by the
19 subcommittees authorized in subsection (1) of this section for
20 increasing the number of graduates intending to serve in shortage areas
21 after graduation, including such strategies as the establishment of
22 preferential admissions and designated enrollment slots.

23 (g) Guidelines and policies developed by the subcommittees
24 authorized in subsection (1) of this section for allowing academic
25 credit for on-the-job experience such as internships, volunteer
26 experience, apprenticeships, and community service programs.

27 (h) A strategy developed by the subcommittees authorized in
28 subsection (1) of this section for making required internships and
29 residency programs available that are geographically accessible and

1 sufficiently diverse to meet both general and specialized training
2 needs as identified in the plan when such programs are required.

3 (i) A description of the need for multiskilled health care
4 professionals and an implementation plan to restructure educational and
5 training programming to meet these needs.

6 (j) An analysis of the types and estimated numbers of health care
7 personnel that will need to be recruited from out-of-state to meet the
8 health professional needs not met by in-state trained personnel.

9 (k) An analysis of the need for educational articulation within the
10 various health care disciplines and a plan for addressing the need.

11 (l) An analysis of the training needs of those members of the long-
12 term care profession that are not regulated and that have no formal
13 training requirements. Programs to meet these needs should be
14 developed in a cost-effective and a state-wide accessible manner that
15 provide for the basic training needs of these individuals.

16 (m) A designation of the professions and geographic locations in
17 which loan repayment and scholarships should be available based upon
18 objective data-based forecasts of health professional shortages. A
19 description of the criteria used to select professions and geographic
20 locations shall be included. Designations of professions and
21 geographic locations may be amended by the department of health when
22 circumstances warrant as provided for in RCW 28B.115.070.

23 (n) A description of needed changes in regulatory laws governing
24 the credentialing of health professionals.

25 (o) A description of linguistic and cultural training needs of
26 foreign-trained health care professionals to assure safe and effective
27 practice of their health care profession.

28 (p) A plan to implement the recommendations of the state-wide
29 nursing plan authorized by RCW 74.39.040.

1 (q) A description of criteria and standards that institutional
2 plans provided for in this section must address in order to meet the
3 requirements of the state-wide health personnel resource plan,
4 including funding requirements to implement the plans. The committee
5 shall also when practical identify specific outcome measures to measure
6 progress in meeting the requirements of this plan. The criteria and
7 standards shall be established in a manner as to provide flexibility to
8 the institutions in meeting state-wide plan requirements. The
9 committee shall establish required submission dates for the
10 institutional plans that permit inclusion of funding requests into the
11 institutions budget requests to the state.

12 (r) A description of how the higher education coordinating board,
13 state board for community and technical colleges (~~education~~),
14 superintendent of public instruction, department of health, and
15 department of social and health services coordinated in the creation
16 and implementation of the state plan including the areas of
17 responsibility each agency shall assume. The plan should also include
18 a description of the steps taken to assure participation by the groups
19 that are to be consulted with.

20 (s) A description of the estimated fiscal requirements for
21 implementation of the state-wide health resource plan that include a
22 description of cost saving activities that reduce potential costs by
23 avoiding administrative duplication, coordinating programming
24 activities, and other such actions to control costs.

25 (3) The committee may call upon other agencies of the state to
26 provide available information to assist the committee in meeting the
27 responsibilities under this chapter. This information shall be
28 supplied as promptly as circumstances permit.

29 (4) State agencies involved in the development and implementation
30 of the plan shall to the extent possible utilize existing personnel and

1 financial resources in the development and implementation of the state-
2 wide health personnel resource plan.

3 (5) The state-wide health personnel resource plan shall be
4 submitted to the governor by July 1, 1992, and updated by July 1 of
5 each even-numbered year. The governor, no later than December 1 of
6 that year, shall approve, approve with modifications, or disapprove the
7 state-wide health resource plan.

8 (6) The approved state-wide health resource plan shall be submitted
9 to the senate and house of representatives committees on health care,
10 higher education, and ways and means or appropriations by December 1 of
11 each even-numbered year.

12 (7) Implementation of the state-wide plan shall begin by July 1,
13 1993.

14 (8) Notwithstanding subsections (5) and (7) of this section, the
15 committee shall prepare and submit to the higher education coordinating
16 board by June 1, 1992, the analysis necessary for the initial
17 implementation of the health professional loan repayment and
18 scholarship program created in chapter 28B.115 RCW.

19 (9) Each publicly funded two-year and four-year institute of higher
20 education authorized under Title 28B RCW and vocational-technical
21 institution authorized under Title 28A RCW that offers health training
22 and education programs shall biennially prepare and submit an
23 institutional plan to the committee. The institutional plan shall
24 identify specific programming and activities of the institution that
25 meet the requirements of the state-wide health professional resource
26 plan.

27 The committee shall review and assess whether the institutional
28 plans meet the requirements of the state-wide health personnel resource
29 plan and shall prepare a report with its determination. The report

1 shall become part of the institutional plan and shall be submitted to
2 the governor and the legislature.

3 The institutional plan shall be included with the institution's
4 biennial budget submission. The institution's budget shall identify
5 proposed spending to meet the requirements of the institutional plan.
6 Each vocational-technical institution, college, or university shall be
7 responsible for implementing its institutional plan."

8 "Sec. 65. RCW 28C.04.530 and 1987 c 231 s 2 are each amended to
9 read as follows:

10 (1) The ~~((commission for vocational education or a successor~~
11 ~~agency))~~ work force training and education coordinating board shall
12 have the responsibility for the development and administration of the
13 Washington award for vocational excellence program. The ~~((commission~~
14 ~~or successor agency))~~ board shall develop the program in consultation
15 with other state agencies and private organizations having interest and
16 responsibility in vocational education, including but not limited to:
17 The state board for community and technical colleges ~~((education, the~~
18 ~~office of the superintendent of public instruction))~~, a voluntary
19 professional association of vocational educators, and representatives
20 from business, labor, and industry.

21 (2) The ~~((commission or successor agency))~~ work force training and
22 education coordinating board shall establish a planning committee to
23 develop the criteria for screening and selecting the students who will
24 receive the award. This criteria shall include but not be limited to
25 the following characteristics: Proficiency in their chosen fields,
26 attendance, attitude, character, leadership, and civic contributions."

27 "Sec. 66. RCW 39.94.010 and 1989 c 356 s 1 are each amended to
28 read as follows:

1 The purposes of this chapter are to confirm the authority of the
2 state, its agencies, departments, and instrumentalities, the state
3 board for community and technical colleges (~~education~~), and the state
4 institutions of higher education to enter into contracts for the
5 acquisition of real and personal property which provide for payments
6 over a term of more than one year and to exclude such contracts from
7 the computation of indebtedness under RCW 39.42.060 and Article VIII,
8 section 1 of the state Constitution. It is further the purpose of this
9 chapter to permit the state, its agencies, departments, and
10 instrumentalities, the state board for community and technical colleges
11 (~~education~~), and the state institutions of higher education to enter
12 into financing contracts which make provision for the issuance of
13 certificates of participation and other financing structures.
14 Financing contracts, whether or not entered into under this chapter,
15 shall be subject to approval by the state finance committee except as
16 provided in this chapter.

17 This chapter shall be liberally construed to effect its purposes."

18 "**Sec. 67.** RCW 39.94.020 and 1990 c 47 s 3 are each amended to read
19 as follows:

20 Unless the context clearly requires otherwise, the definitions in
21 this section apply throughout this chapter.

22 (1) "Credit enhancement" includes insurance, letters of credit,
23 lines of credit, or other similar agreements which enhance the security
24 for the payment of the state's obligations under financing contracts.

25 (2) "Financing contract" means any contract entered into by the
26 state which provides for the use and purchase of real or personal
27 property by the state and provides for payment by the state over a term
28 of more than one year, and which provides that title to the subject
29 property shall secure performance of the state or transfer to the state

1 by the end of the term, upon exercise of an option, for a nominal
2 amount or for a price determined without reference to fair market
3 value. Financing contracts shall include, but not be limited to,
4 conditional sales contracts, financing leases, lease purchase
5 contracts, or refinancing contracts, but shall not include operating or
6 true leases. For purposes of this chapter, the term "financing
7 contract" shall not include any nonrecourse financing contract or other
8 obligation payable only from money or other property received from
9 private sources and not payable from any public money or property. The
10 term "financing contract" shall include a "master financing contract."

11 (3) "Master financing contract" means a financing contract which
12 provides for the use and purchase of property by the state, and which
13 may include more than one financing contract and appropriation.

14 (4) "State" means the state, agency, department, or instrumentality
15 of the state, the state board for community and technical colleges
16 (~~(education)~~), and any state institution of higher education.

17 (5) "State finance committee" means the state finance committee
18 under chapter 43.33 RCW.

19 (6) "Trustee" means a bank or trust company, within or without the
20 state, authorized by law to exercise trust powers."

21 "**Sec. 68.** RCW 39.94.040 and 1989 c 356 s 4 are each amended to
22 read as follows:

23 (1) Except as provided in RCW 28B.10.022, the state may not enter
24 into any financing contract if the aggregate principal amount payable
25 thereunder is greater than an amount to be established from time to
26 time by the state finance committee or participate in a program
27 providing for the issuance of certificates of participation, including
28 any contract for credit enhancement, without the prior approval of the
29 state finance committee. Except as provided in RCW 28B.10.022, the

1 state finance committee shall approve the form of all financing
2 contracts or a standard format for all financing contracts. The state
3 finance committee also may:

4 (a) Consolidate existing or potential financing contracts into
5 master financing contracts with respect to property acquired by one or
6 more agencies, departments, instrumentalities of the state, the state
7 board for community and technical colleges ~~((education))~~, or a state
8 institution of higher learning;

9 (b) Approve programs providing for the issuance of certificates of
10 participation in master financing contracts;

11 (c) Enter into agreements with trustees relating to master
12 financing contracts; and

13 (d) Make appropriate rules for the performance of its duties under
14 this chapter.

15 (2) In the performance of its duties under this chapter, the state
16 finance committee may consult with representatives from the department
17 of general administration, the office of financial management, and the
18 department of information services.

19 (3) With the approval of the state finance committee, the state
20 also may enter into agreements with trustees relating to financing
21 contracts and the issuance of certificates of participation.

22 (4) The state may not enter into any financing contract for real
23 property without prior approval of the legislature."

24 **"Sec. 69.** RCW 41.04.665 and 1990 c 23 s 2 are each amended to read
25 as follows:

26 (1) An agency head may permit an employee to receive leave under
27 this section if:

28 (a) The employee suffers from, or has a relative or household
29 member suffering from, an illness, injury, impairment, or physical or

1 mental condition which is of an extraordinary or severe nature and
2 which has caused, or is likely to cause, the employee to:

3 (i) Go on leave without pay status; or

4 (ii) Terminate state employment;

5 (b) The employee's absence and the use of shared leave are
6 justified;

7 (c) The employee has depleted or will shortly deplete his or her
8 annual leave and sick leave reserves;

9 (d) The employee has abided by agency rules regarding sick leave
10 use; and

11 (e) The employee has diligently pursued and been found to be
12 ineligible for benefits under chapter 51.32 RCW.

13 (2) The agency head shall determine the amount of leave, if any,
14 which an employee may receive under this section. However, an employee
15 shall not receive a total of more than two hundred sixty-one days of
16 leave.

17 (3) An employee who has an accrued annual leave balance of more
18 than ten days may request that the head of the agency for which the
19 employee works transfer a specified amount of annual leave to another
20 employee authorized to receive leave under subsection (1) of this
21 section. In no event may the employee request a transfer of an amount
22 of leave that would result in his or her annual leave account going
23 below ten days.

24 (4) An employee of a community or technical college, school
25 district, or educational service district who does not accrue annual
26 leave but does accrue sick leave and who has an accrued sick leave
27 balance of more than sixty days may request that the head of the agency
28 for which the employee works transfer a specified amount of sick leave
29 to another employee authorized to receive leave under subsection (1) of
30 this section. In no event may such an employee request a transfer of

1 more than six days of sick leave during any twelve month period, or
2 request a transfer that would result in his or her sick leave account
3 going below sixty days. Transfers of sick leave under this subsection
4 are limited to transfers from employees who do not accrue annual leave.
5 Under this subsection, "sick leave" also includes leave accrued
6 pursuant to RCW 28A.400.300(2) or 28A.310.240(1) with compensation for
7 illness, injury, and emergencies.

8 (5) Transfers of leave made by an agency head under subsections (3)
9 and (4) of this section shall not exceed the requested amount.

10 (6) Leave transferred under this section may be transferred from
11 employees of one agency to an employee of the same agency or, with the
12 approval of the heads of both agencies, to an employee of another state
13 agency. However, leave transferred to or from employees of school
14 districts or educational service districts is limited to transfers to
15 or from employees within the same employing district.

16 (7) While an employee is on leave transferred under this section,
17 he or she shall continue to be classified as a state employee and shall
18 receive the same treatment in respect to salary, wages, and employee
19 benefits as the employee would normally receive if using accrued annual
20 leave or sick leave.

21 (a) All salary and wage payments made to employees while on leave
22 transferred under this section shall be made by the agency employing
23 the person receiving the leave. The value of leave transferred shall
24 be based upon the annual leave value of the person receiving the leave.

25 (b) In the case of leave transferred by an employee of one agency
26 to an employee of another agency, the agencies involved shall arrange
27 for the transfer of funds and credit for the appropriate value of
28 leave.

29 (i) Pursuant to rules adopted by the office of financial
30 management, funds shall not be transferred under this section if the

1 transfer would violate any constitutional or statutory restrictions on
2 the funds being transferred.

3 (ii) The office of financial management may adjust the
4 appropriation authority of an agency receiving funds under this section
5 only if and to the extent that the agency's existing appropriation
6 authority would prevent it from expending the funds received.

7 (iii) Where any questions arise in the transfer of funds or the
8 adjustment of appropriation authority, the director of financial
9 management shall determine the appropriate transfer or adjustment.

10 (8) Leave transferred under this section shall not be used in any
11 calculation to determine an agency's allocation of full time equivalent
12 staff positions.

13 (9) The value of any leave transferred under this section which
14 remains unused shall be returned at its original value to the employee
15 or employees who transferred the leave when the agency head finds that
16 the leave is no longer needed or will not be needed at a future time in
17 connection with the illness or injury for which the leave was
18 transferred. To the extent administratively feasible, the value of
19 unused leave which was transferred by more than one employee shall be
20 returned on a pro rata basis."

21 "**Sec. 70.** RCW 41.06.070 and 1990 c 60 s 101 are each amended to
22 read as follows:

23 The provisions of this chapter do not apply to:

24 (1) The members of the legislature or to any employee of, or
25 position in, the legislative branch of the state government including
26 members, officers, and employees of the legislative council,
27 legislative budget committee, statute law committee, and any interim
28 committee of the legislature;

1 (2) The justices of the supreme court, judges of the court of
2 appeals, judges of the superior courts or of the inferior courts, or to
3 any employee of, or position in the judicial branch of state
4 government;

5 (3) Officers, academic personnel, and employees of state
6 institutions of higher education, the state board for community and
7 technical colleges ((education)), and the higher education personnel
8 board;

9 (4) The officers of the Washington state patrol;

10 (5) Elective officers of the state;

11 (6) The chief executive officer of each agency;

12 (7) In the departments of employment security, fisheries, social
13 and health services, the director and ((his)) the director's
14 confidential secretary; in all other departments, the executive head of
15 which is an individual appointed by the governor, the director, ((his))
16 the director's confidential secretary, and ((his)) the director's
17 statutory assistant directors;

18 (8) In the case of a multimember board, commission, or committee,
19 whether the members thereof are elected, appointed by the governor or
20 other authority, serve ex officio, or are otherwise chosen:

21 (a) All members of such boards, commissions, or committees;

22 (b) If the members of the board, commission, or committee serve on
23 a part-time basis and there is a statutory executive officer: (i) The
24 secretary of the board, commission, or committee; (ii) the chief
25 executive officer of the board, commission, or committee; and (iii) the
26 confidential secretary of the chief executive officer of the board,
27 commission, or committee;

28 (c) If the members of the board, commission, or committee serve on
29 a full-time basis: (i) The chief executive officer or administrative
30 officer as designated by the board, commission, or committee; and (ii)

1 a confidential secretary to the ((~~chairman~~)) chair of the board,
2 commission, or committee;

3 (d) If all members of the board, commission, or committee serve ex
4 officio: (i) The chief executive officer; and (ii) the confidential
5 secretary of such chief executive officer;

6 (9) The confidential secretaries and administrative assistants in
7 the immediate offices of the elective officers of the state;

8 (10) Assistant attorneys general;

9 (11) Commissioned and enlisted personnel in the military service of
10 the state;

11 (12) Inmate, student, part-time, or temporary employees, and part-
12 time professional consultants, as defined by the state personnel board
13 or the board having jurisdiction;

14 (13) The public printer or to any employees of or positions in the
15 state printing plant;

16 (14) Officers and employees of the Washington state fruit
17 commission;

18 (15) Officers and employees of the Washington state apple
19 advertising commission;

20 (16) Officers and employees of the Washington state dairy products
21 commission;

22 (17) Officers and employees of the Washington tree fruit research
23 commission;

24 (18) Officers and employees of the Washington state beef
25 commission;

26 (19) Officers and employees of any commission formed under the
27 provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

28 (20) Officers and employees of the state wheat commission formed
29 under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

1 (21) Officers and employees of agricultural commissions formed
2 under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

3 (22) Officers and employees of the nonprofit corporation formed
4 under chapter 67.40 RCW;

5 (23) Liquor vendors appointed by the Washington state liquor
6 control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules
7 and regulations adopted by the state personnel board pursuant to RCW
8 41.06.150 regarding the basis for, and procedures to be followed for,
9 the dismissal, suspension, or demotion of an employee, and appeals
10 therefrom shall be fully applicable to liquor vendors except those part
11 time agency vendors employed by the liquor control board when, in
12 addition to the sale of liquor for the state, they sell goods, wares,
13 merchandise, or services as a self-sustaining private retail business;

14 (24) Executive assistants for personnel administration and labor
15 relations in all state agencies employing such executive assistants
16 including but not limited to all departments, offices, commissions,
17 committees, boards, or other bodies subject to the provisions of this
18 chapter and this subsection shall prevail over any provision of law
19 inconsistent herewith unless specific exception is made in such law;

20 (25) In each agency with fifty or more employees: Deputy agency
21 heads, assistant directors or division directors, and not more than
22 three principal policy assistants who report directly to the agency
23 head or deputy agency heads;

24 (26) All employees of the marine employees' commission;

25 (27) Up to a total of five senior staff positions of the western
26 library network under chapter 27.26 RCW responsible for formulating
27 policy or for directing program management of a major administrative
28 unit. This subsection shall expire on June 30, 1997;

29 (28) In addition to the exemptions specifically provided by this
30 chapter, the state personnel board may provide for further exemptions

1 pursuant to the following procedures. The governor or other
2 appropriate elected official may submit requests for exemption to the
3 personnel board stating the reasons for requesting such exemptions.
4 The personnel board shall hold a public hearing, after proper notice,
5 on requests submitted pursuant to this subsection. If the board
6 determines that the position for which exemption is requested is one
7 involving substantial responsibility for the formulation of basic
8 agency or executive policy or one involving directing and controlling
9 program operations of an agency or a major administrative division
10 thereof, the personnel board shall grant the request and such
11 determination shall be final. The total number of additional
12 exemptions permitted under this subsection shall not exceed one hundred
13 eighty-seven for those agencies not directly under the authority of any
14 elected public official other than the governor, and shall not exceed
15 a total of twenty-five for all agencies under the authority of elected
16 public officials other than the governor. The state personnel board
17 shall report to each regular session of the legislature during an odd-
18 numbered year all exemptions granted under subsections (24), (25), and
19 (28) of this section, together with the reasons for such exemptions.

20 The salary and fringe benefits of all positions presently or
21 hereafter exempted except for the chief executive officer of each
22 agency, full-time members of boards and commissions, administrative
23 assistants and confidential secretaries in the immediate office of an
24 elected state official, and the personnel listed in subsections (10)
25 through (22) of this section, shall be determined by the state
26 personnel board.

27 Any person holding a classified position subject to the provisions
28 of this chapter shall, when and if such position is subsequently
29 exempted from the application of this chapter, be afforded the
30 following rights: If such person previously held permanent status in

1 another classified position, such person shall have a right of
2 reversion to the highest class of position previously held, or to a
3 position of similar nature and salary.

4 Any classified employee having civil service status in a classified
5 position who accepts an appointment in an exempt position shall have
6 the right of reversion to the highest class of position previously
7 held, or to a position of similar nature and salary.

8 A person occupying an exempt position who is terminated from the
9 position for gross misconduct or malfeasance does not have the right of
10 reversion to a classified position as provided for in this section."

11 **"Sec. 71.** RCW 41.32.010 and 1991 c 343 s 3 and 1991 c 35 s 31 are
12 each reenacted and amended to read as follows:

13 As used in this chapter, unless a different meaning is plainly
14 required by the context:

15 (1)(a) "Accumulated contributions" for plan I members, means the
16 sum of all regular annuity contributions with regular interest thereon.

17 (b) "Accumulated contributions" for plan II members, means the sum
18 of all contributions standing to the credit of a member in the member's
19 individual account together with the regular interest thereon.

20 (2) "Actuarial equivalent" means a benefit of equal value when
21 computed upon the basis of such mortality tables and regulations as
22 shall be adopted by the director and regular interest.

23 (3) "Annuity" means the moneys payable per year during life by
24 reason of accumulated contributions of a member.

25 (4) "Annuity fund" means the fund in which all of the accumulated
26 contributions of members are held.

27 (5) "Annuity reserve fund" means the fund to which all accumulated
28 contributions are transferred upon retirement.

1 (6)(a) "Beneficiary" for plan I members, means any person in
2 receipt of a retirement allowance or other benefit provided by this
3 chapter.

4 (b) "Beneficiary" for plan II members, means any person in receipt
5 of a retirement allowance or other benefit provided by this chapter
6 resulting from service rendered to an employer by another person.

7 (7) "Contract" means any agreement for service and compensation
8 between a member and an employer.

9 (8) "Creditable service" means membership service plus prior
10 service for which credit is allowable. This subsection shall apply
11 only to plan I members.

12 (9) "Dependent" means receiving one-half or more of support from a
13 member.

14 (10) "Disability allowance" means monthly payments during
15 disability. This subsection shall apply only to plan I members.

16 (11)(a) "Earnable compensation" for plan I members, means:

17 (i) All salaries and wages paid by an employer to an employee
18 member of the retirement system for personal services rendered during
19 a fiscal year. In all cases where compensation includes maintenance
20 the employer shall fix the value of that part of the compensation not
21 paid in money.

22 (A) Retroactive payments to an individual by an employer on
23 reinstatement of the employee in a position, or payments by an employer
24 to an individual in lieu of reinstatement in a position which are
25 awarded or granted as the equivalent of the salary or wages which the
26 individual would have earned during a payroll period shall be
27 considered earnable compensation and the individual shall receive the
28 equivalent service credit.

29 (B) If a leave of absence, without pay, is taken by a member for
30 the purpose of serving as a member of the state legislature, and such

1 member has served in the legislature five or more years, the salary
2 which would have been received for the position from which the leave of
3 absence was taken shall be considered as compensation earnable if the
4 employee's contribution thereon is paid by the employee. In addition,
5 where a member has been a member of the state legislature for five or
6 more years, earnable compensation for the member's two highest
7 compensated consecutive years of service shall include a sum not to
8 exceed thirty-six hundred dollars for each of such two consecutive
9 years, regardless of whether or not legislative service was rendered
10 during those two years.

11 (ii) For members employed less than full time under written
12 contract with a school district, or community or technical college
13 district, in an instructional position, for which the member receives
14 service credit of less than one year in all of the years used to
15 determine the earnable compensation used for computing benefits due
16 under RCW 41.32.497, 41.32.498, and 41.32.520, the member may elect to
17 have earnable compensation defined as provided in RCW (~~41.32.011~~)
18 41.32.345. For the purposes of this subsection, the term
19 "instructional position" means a position in which more than seventy-
20 five percent of the member's time is spent as a classroom instructor
21 (including office hours), a librarian, or a counselor. Earnable
22 compensation shall be so defined only for the purpose of the
23 calculation of retirement benefits and only as necessary to insure that
24 members who receive fractional service credit under RCW 41.32.270
25 receive benefits proportional to those received by members who have
26 received full-time service credit.

27 (b) "Earnable compensation" for plan II members, means salaries or
28 wages earned by a member during a payroll period for personal services,
29 including overtime payments, and shall include wages and salaries
30 deferred under provisions established pursuant to sections 403(b),

1 414(h), and 457 of the United States Internal Revenue Code, but shall
2 exclude lump sum payments for deferred annual sick leave, unused
3 accumulated vacation, unused accumulated annual leave, or any form of
4 severance pay.

5 (i) Retroactive payments to an individual by an employer on
6 reinstatement of the employee in a position or payments by an employer
7 to an individual in lieu of reinstatement in a position which are
8 awarded or granted as the equivalent of the salary or wages which the
9 individual would have earned during a payroll period shall be
10 considered earnable compensation, to the extent provided above, and the
11 individual shall receive the equivalent service credit.

12 (ii) In any year in which a member serves in the legislature the
13 member shall have the option of having such member's earnable
14 compensation be the greater of:

15 (A) The earnable compensation the member would have received had
16 such member not served in the legislature; or

17 (B) Such member's actual earnable compensation received for
18 teaching and legislative service combined. Any additional
19 contributions to the retirement system required because compensation
20 earnable under (b)(ii)(A) of this subsection is greater than
21 compensation earnable under (b)(ii)(B) of this subsection shall be paid
22 by the member for both member and employer contributions.

23 (12) "Employer" means the state of Washington, the school district,
24 or any agency of the state of Washington by which the member is paid.

25 (13) "Fiscal year" means a year which begins July 1st and ends June
26 30th of the following year.

27 (14) "Former state fund" means the state retirement fund in
28 operation for teachers under chapter 187, Laws of 1923, as amended.

1 (15) "Local fund" means any of the local retirement funds for
2 teachers operated in any school district in accordance with the
3 provisions of chapter 163, Laws of 1917 as amended.

4 (16) "Member" means any teacher included in the membership of the
5 retirement system. Also, any other employee of the public schools who,
6 on July 1, 1947, had not elected to be exempt from membership and who,
7 prior to that date, had by an authorized payroll deduction, contributed
8 to the annuity fund.

9 (17) "Membership service" means service rendered subsequent to the
10 first day of eligibility of a person to membership in the retirement
11 system: PROVIDED, That where a member is employed by two or more
12 employers the individual shall receive no more than one service credit
13 month during any calendar month in which multiple service is rendered.
14 The provisions of this subsection shall apply only to plan I members.

15 (18) "Pension" means the moneys payable per year during life from
16 the pension reserve fund.

17 (19) "Pension reserve fund" is a fund in which shall be accumulated
18 an actuarial reserve adequate to meet present and future pension
19 liabilities of the system and from which all pension obligations are to
20 be paid.

21 (20) "Prior service" means service rendered prior to the first date
22 of eligibility to membership in the retirement system for which credit
23 is allowable. The provisions of this subsection shall apply only to
24 plan I members.

25 (21) "Prior service contributions" means contributions made by a
26 member to secure credit for prior service. The provisions of this
27 subsection shall apply only to plan I members.

28 (22) "Public school" means any institution or activity operated by
29 the state of Washington or any instrumentality or political subdivision

1 thereof employing teachers, except the University of Washington and
2 Washington State University.

3 (23) "Regular contributions" means the amounts required to be
4 deducted from the compensation of a member and credited to the member's
5 individual account in the annuity fund. This subsection shall apply
6 only to plan I members.

7 (24) "Regular interest" means such rate as the director may
8 determine.

9 (25)(a) "Retirement allowance" for plan I members, means monthly
10 payments based on the sum of annuity and pension, or any optional
11 benefits payable in lieu thereof.

12 (b) "Retirement allowance" for plan II members, means monthly
13 payments to a retiree or beneficiary as provided in this chapter.

14 (26) "Retirement system" means the Washington state teachers'
15 retirement system.

16 (27)(a) "Service" means the time during which a member has been
17 employed by an employer for compensation: PROVIDED, That where a
18 member is employed by two or more employers the individual shall
19 receive no more than one service credit month during any calendar month
20 in which multiple service is rendered.

21 (b) "Service" for plan II members, means periods of employment by
22 a member for one or more employers for which earnable compensation is
23 earned subject to the following conditions:

24 (i) A member employed in an eligible position or as a substitute
25 shall receive one service credit month for each month of September
26 through August of the following year if he or she earns earnable
27 compensation for eight hundred ten or more hours during that period and
28 is employed during nine of those months, except that a member may not
29 receive credit for any period prior to the member's employment in an
30 eligible position except as provided in RCW 41.32.812 and 41.50.132;

1 (ii) If a member is employed either in an eligible position or as
2 a substitute teacher for nine months of the twelve month period between
3 September through August of the following year but earns earnable
4 compensation for less than eight hundred ten hours but for at least six
5 hundred thirty hours, he or she will receive one-half of a service
6 credit month for each month of the twelve month period;

7 (iii) All other members in an eligible position or as a substitute
8 teacher shall receive service credit as follows:

9 (A) A service credit month is earned in those calendar months where
10 earnable compensation is earned for ninety or more hours;

11 (B) A half-service credit month is earned in those calendar months
12 where earnable compensation is earned for at least seventy hours but
13 less than ninety hours; and

14 (C) A quarter-service credit month is earned in those calendar
15 months where earnable compensation is earned for less than seventy
16 hours.

17 Any person who is a member of the teachers' retirement system and
18 who is elected or appointed to a state elective position may continue
19 to be a member of the retirement system and continue to receive a
20 service credit month for each of the months in a state elective
21 position by making the required member contributions.

22 When an individual is employed by two or more employers the
23 individual shall only receive one month's service credit during any
24 calendar month in which multiple service for ninety or more hours is
25 rendered.

26 The department shall adopt rules implementing this subsection.

27 (28) "Service credit year" means an accumulation of months of
28 service credit which is equal to one when divided by twelve.

29 (29) "Service credit month" means a full service credit month or an
30 accumulation of partial service credit months that are equal to one.

1 (30) "Survivors' benefit fund" means the fund from which survivor
2 benefits are paid to dependents of deceased members. This subsection
3 shall apply only to plan I members.

4 (31) "Teacher" means any person qualified to teach who is engaged
5 by a public school in an instructional, administrative, or supervisory
6 capacity. The term includes state, educational service district, and
7 school district superintendents and their assistants and all employees
8 certificated by the superintendent of public instruction; and in
9 addition thereto any full time school doctor who is employed by a
10 public school and renders service of an instructional or educational
11 nature.

12 (32) "Average final compensation" for plan II members, means the
13 member's average earnable compensation of the highest consecutive sixty
14 service credit months prior to such member's retirement, termination,
15 or death. Periods constituting authorized leaves of absence may not be
16 used in the calculation of average final compensation.

17 (33) "Retiree" means any member in receipt of a retirement
18 allowance or other benefit provided by this chapter resulting from
19 service rendered to an employer by such member.

20 (34) "Department" means the department of retirement systems
21 created in chapter 41.50 RCW.

22 (35) "Director" means the director of the department.

23 (36) "State elective position" means any position held by any
24 person elected or appointed to state-wide office or elected or
25 appointed as a member of the legislature.

26 (37) "State actuary" or "actuary" means the person appointed
27 pursuant to RCW 44.44.010(2).

28 (38) "Substitute teacher" means:

1 (a) A teacher who is hired by an employer to work as a temporary
2 teacher, except for teachers who are annual contract employees of an
3 employer and are guaranteed a minimum number of hours; or

4 (b) Teachers who either (i) work in ineligible positions for more
5 than one employer or (ii) work in an ineligible position or positions
6 together with an eligible position.

7 (39)(a) "Eligible position" for plan II members from June 7, 1990,
8 through September 1, 1991, means a position which normally requires two
9 or more uninterrupted months of creditable service during September
10 through August of the following year.

11 (b) "Eligible position" for plan II on and after September 1, 1991,
12 means a position that, as defined by the employer, normally requires
13 five or more months of at least seventy hours of earnable compensation
14 during September through August of the following year.

15 (c) For purposes of this chapter an employer shall not define
16 "position" in such a manner that an employee's monthly work for that
17 employer is divided into more than one position.

18 (d) The elected position of the superintendent of public
19 instruction is an eligible position.

20 (40) "Plan I" means the teachers' retirement system, plan I
21 providing the benefits and funding provisions covering persons who
22 first became members of the system prior to October 1, 1977.

23 (41) "Plan II" means the teachers' retirement system, plan II
24 providing the benefits and funding provisions covering persons who
25 first became members of the system on and after October 1, 1977."

26 **"Sec. 72.** RCW 41.58.020 and 1975 1st ex.s. c 296 s 4 are each
27 amended to read as follows:

28 (1) It shall be the duty of the commission, in order to prevent or
29 minimize interruptions growing out of labor disputes, to assist

1 employers and employees to settle such disputes through mediation and
2 fact-finding.

3 (2) The commission, through the director, may proffer its services
4 in any labor dispute involving a political subdivision, municipal
5 corporation, or the community and technical college system of the
6 state, either upon its own motion or upon the request of one or more of
7 the parties to the dispute, whenever in its judgment such dispute
8 threatens to cause a substantial disruption to the public welfare.

9 (3) If the director is not able to bring the parties to agreement
10 by mediation within a reasonable time, ((he)) the director shall seek
11 to induce the parties to voluntarily seek other means of settling the
12 dispute without resort to strike or other coercion, including
13 submission to the employees in the bargaining unit of the employer's
14 last offer of settlement for approval or rejection in a secret ballot.
15 The failure or refusal of either party to agree to any procedure
16 suggested by the director shall not be deemed a violation of any duty
17 or obligation imposed by this chapter.

18 (4) Final adjustment by a method agreed upon by the parties is
19 declared to be the desirable method for settlement of grievance
20 disputes arising over the application or interpretation of an existing
21 collective bargaining agreement. The commission is directed to make
22 its mediation and fact-finding services available in the settlement of
23 such grievance disputes only as a last resort."

24 **"Sec. 73.** RCW 43.19.1902 and 1979 c 151 s 97 are each amended to
25 read as follows:

26 There is hereby created a state supply management advisory board
27 which shall consist of twelve members as follows: The director of
28 general administration as ((chairman)) chair, and a representative from
29 each of the following eight state agencies, who shall be appointed by

1 the governor based upon recommendations of the head of the agency from
2 which the selection is made; the department of transportation, the
3 department of social and health services, the department of natural
4 resources, the University of Washington, Washington State University,
5 the state board for community and technical colleges ((education)), the
6 superintendent of public instruction, and the office of financial
7 management. In addition, three members shall be appointed by the
8 governor to the board from the private sector: PROVIDED, That special
9 care shall be exercised to select private sector representatives
10 without a conflict of interest involving sale, lease or rental of
11 property, material, supplies, equipment, commodities, or services to
12 the state of Washington. Members of the board shall serve without
13 additional compensation and at the pleasure of the governor, but shall
14 be reimbursed for subsistence, lodging, and travel expenses as provided
15 in chapter 43.03 RCW, as now or hereafter amended. Board members from
16 the private sector shall be reimbursed from appropriated funds
17 allocated to the division of purchasing. All other board members shall
18 be reimbursed from funds appropriated for their respective agencies.
19 Seven members of the board shall constitute a quorum. The board shall
20 meet upon call of the ((chairman)) chair and shall adopt rules and
21 regulations for the conduct of its business. The ((chairman)) chair
22 may appoint special committees for the study of specific subjects,
23 which special committees may include representatives of such other
24 state agencies as may be deemed appropriate."

25 "Sec. 74. RCW 43.31.621 and 1991 c 314 s 4 are each amended to
26 read as follows:

27 (1) There is established the agency timber task force. The task
28 force shall be chaired by the timber recovery coordinator. It shall be
29 the responsibility of the coordinator that all directives of chapter

1 314, Laws of 1991 are carried out expeditiously by the agencies
2 represented in the task force. The task force shall consist of the
3 directors, or representatives of the directors, of the following
4 agencies: The department of trade and economic development, department
5 of community development, employment security department, department of
6 social and health services, state board for community and technical
7 colleges (~~(education)~~), state board for vocational education, or its
8 replacement entity, department of natural resources, department of
9 transportation, state energy office, department of wildlife, University
10 of Washington center for international trade in forest products, and
11 department of ecology. The task force may consult and enlist the
12 assistance of the following: The higher education coordinating board,
13 University of Washington college of forest resources, Washington State
14 University school of forestry, Northwest policy center, state
15 superintendent of public instruction, the Evergreen partnership,
16 Washington association of counties, and rural development council.

17 (2) This section shall expire June 30, 1993."

18 "**Sec. 75.** RCW 43.220.060 and 1987 c 505 s 44 are each amended to
19 read as follows:

20 (1) Each state department identified in RCW 43.220.020 shall have
21 the following powers and duties to carry out its functions relative to
22 the Washington conservation corps:

23 (a) Recruiting and employing staff and corps member leaders and
24 specialists;

25 (b) Adopting criteria for the selection of applicants to the
26 program from among the enrollees of the (~~youth employment exchange~~)
27 Washington service corps program;

28 (c) Executing agreements for furnishing the services of the
29 employment conservation program to carry out conservation corps

1 programs to any federal, state, or local public agency, any local
2 organization as specified in this chapter in concern with the overall
3 objectives of the conservation corps;

4 (d) Applying for and accepting grants or contributions of funds
5 from any private source;

6 (e) Determining a preference for those projects which will provide
7 long-term benefits to the public, will provide productive training and
8 work experiences to the members involved, will be labor-intensive, may
9 result in payments to the state for services performed, and can be
10 promptly completed; and

11 (f) Entering into agreements with community colleges within the
12 state's community and technical college system and other educational
13 institutions or independent nonprofit agencies to provide special
14 education in basic skills, including reading, writing, and mathematics
15 for those conservation corps members who may benefit by participation
16 in such classes. Classes shall be scheduled after corps working hours.
17 Participation by members is not mandatory but shall be strongly
18 encouraged. The participation shall be a primary factor in determining
19 whether the opportunity for corps membership beyond one year shall be
20 offered. Instruction related to the specific role of the department in
21 resource conservation shall also be offered, either in a classroom
22 setting or as is otherwise appropriate.

23 (2) The assignment of corps members shall not result in the
24 displacement of currently employed workers, including partial
25 displacement such as reduction in hours of nonovertime work, wages, or
26 other employment benefits. Supervising agencies that participate in
27 the program may not terminate, lay-off, or reduce the working hours of
28 any employee for the purpose of using a corps member with available
29 funds. In circumstances where substantial efficiencies or a public
30 purpose may result, supervising agencies may use corps members to carry

1 out essential agency work or contractual functions without displacing
2 current employees.

3 (3) Facilities, supplies, instruments, and tools of the supervising
4 agency shall be made available for use by the conservation corps to the
5 extent that such use does not conflict with the normal duties of the
6 agency. The agency may purchase, rent, or otherwise acquire other
7 necessary tools, facilities, supplies, and instruments."

8 "Sec. 76. RCW 50.38.030 and 1985 c 466 s 66 are each amended to
9 read as follows:

10 The employment security department shall consult with the following
11 agencies prior to the issuance of the state occupational forecast:

- 12 (1) Office of financial management;
- 13 (2) Department of trade and economic development;
- 14 (3) Department of labor and industries;
- 15 (4) State board for community and technical colleges ~~((education))~~;
- 16 (5) Superintendent of public instruction;
- 17 (6) Department of social and health services;
- 18 (7) Department of community development;
- 19 (8) ~~((Commission for vocational education))~~ Work force training and
20 education coordinating board; and

21 (9) Other state and local agencies as deemed appropriate by the
22 commissioner of the employment security department.

23 These agencies shall cooperate with the employment security
24 department, submitting information relevant to the generation of
25 occupational forecasts."

26 "Sec. 77. RCW 50.65.030 and 1987 c 167 s 3 are each amended to
27 read as follows:

1 The Washington service corps is established within the employment
2 security department. The commissioner shall:

3 (1) Appoint a director for the exchange and other personnel as
4 necessary to carry out the purposes of this chapter;

5 (2) Coordinate youth employment and training efforts under the
6 department's jurisdiction and cooperate with other agencies or
7 departments providing youth services to ensure that funds appropriated
8 for the purposes of this chapter will not be expended to duplicate
9 existing services, but will increase the services of youth to the
10 state;

11 (3) The employment security department is authorized to place
12 subgrants with other federal, state, and local governmental agencies
13 and private agencies to provide youth employment projects and to
14 increase the numbers of youth employed;

15 (4) Determine appropriate financial support levels by private
16 business, community groups, foundations, public agencies, and
17 individuals which will provide matching funds for enrollees in service
18 projects under work agreements. The matching funds requirement may be
19 waived for public agencies or reduced for private agencies;

20 (5) Recruit enrollees who are residents of the state unemployed at
21 the time of application and are at least eighteen years of age but have
22 not reached their twenty-sixth birthday;

23 (6) Recruit supervising agencies to host the enrollees in full-time
24 service activities which shall not exceed six months' duration, which
25 may be extended for an additional six months by mutual consent;

26 (7) Assist supervising agencies in the development of scholarships
27 and matching funds from private and public agencies, individuals, and
28 foundations in order to support a portion of the enrollee's stipend and
29 benefits;

1 (8) Develop general employment guidelines for placement of
2 enrollees in supervising agencies to establish appropriate authority
3 for hiring, firing, grievance procedures, and employment standards
4 which are consistent with state and federal law;

5 (9) Match enrollees with appropriate public agencies and available
6 service projects;

7 (10) Monitor enrollee activities for compliance with this chapter
8 and compliance with work agreements;

9 (11) Assist enrollees in transition to employment upon termination
10 from the programs, including such activities as orientation to the
11 labor market, on-the-job training, and placement in the private sector;

12 (12) Establish a program for providing incentives to encourage
13 successful completion of terms of enrollment in the service corps and
14 the continuation of educational pursuits. Such incentives shall be in
15 the form of educational assistance;

16 (13) Enter into agreements with the state's community and technical
17 college system and other educational institutions or independent
18 nonprofit agencies to provide special education in basic skills,
19 including reading, writing, and mathematics for those participants who
20 may benefit by participation in such classes. Participation is not
21 mandatory but shall be strongly encouraged."

22 "Sec. 78. RCW 51.08.012 and 1975 1st ex.s. c 224 s 2 are each
23 amended to read as follows:

24 For the purposes of this title, "accredited school" means a school
25 or course of instruction which is:

26 (1) Approved by the state superintendent of public instruction, the
27 state board of education, the state board for community and technical
28 colleges ((education)), or the ((state division of vocational education

1 of the coordinating council for occupational education)) work force
2 training and education coordinating board; or

3 (2) Regulated or licensed as to course content by any agency of the
4 state or under any occupational licensing act of the state, or
5 recognized by the apprenticeship council under an agreement registered
6 with the apprenticeship council pursuant to chapter 49.04 RCW."

7 "Sec. 79. RCW 67.38.020 and 1982 1st ex.s. c 22 s 2 are each
8 amended to read as follows:

9 Unless the context clearly indicates otherwise, for the purposes of
10 this chapter the following definitions shall apply:

11 (1) "Cultural arts, stadium and convention district," or
12 "district," means a quasi municipal corporation of the state of
13 Washington created pursuant to this chapter.

14 (2) "Component city" means an incorporated city within a public
15 cultural arts, stadium and convention benefit area.

16 (3) "City" means any city or town.

17 (4) "City council" means the legislative body of any city.

18 (5) "Municipality" means a port district, public school district
19 ((or)), community college district, or technical college district."

20 "Sec. 80. RCW 67.38.050 and 1982 1st ex.s. c 22 s 5 are each
21 amended to read as follows:

22 The number of persons on the governing body of the district and how
23 such persons shall be selected and replaced shall be included in the
24 resolution of the county legislative authority providing for the
25 submittal of the proposition to create the district to the voters.
26 Members of the governing body may only consist of a combination of city
27 council members or mayors of the city or cities included within the
28 district, members of the county legislative authority, the county

1 executive of a county operating under a home rule charter, elected
2 members of the governing bodies of municipalities located within the
3 district, and members of the board of (~~regents~~) trustees of a
4 community or technical college district. No governing body may consist
5 of more than nine members. The resolution may also provide for
6 additional, ex officio, nonvoting members consisting of elected
7 officials or appointed officials from the counties, cities, or
8 municipalities which are located all or partially within the boundaries
9 of such a district and (~~who [which]~~) which do not have elected or
10 appointed officials sitting on the governing body.

11 Any member of the governing body, or any ex officio member, who is
12 not an elective official whose office is a full-time position may be
13 reimbursed for reasonable expenses actually incurred in attending
14 meetings or engaging in other district business as provided in RCW
15 42.24.090."

16 "Sec. 81. RCW 70.120.020 and 1989 c 240 s 5 are each amended to
17 read as follows:

18 (1) The department shall conduct the following programs in a manner
19 that will enhance the successful implementation of the air pollution
20 control system established for motor vehicles by this chapter:

21 (a) A voluntary motor vehicle emissions inspection program;

22 (b) A public educational program regarding the health effects of
23 air pollution emitted by motor vehicles; the purpose, operation, and
24 effect of emission control devices and systems; and the effect that
25 proper maintenance of motor vehicle engines has on fuel economy and air
26 pollution emission; and

27 (c) A public notification program identifying the geographic areas
28 of the state that are designated as being noncompliance areas and

1 emission contributing areas and describing the requirements imposed
2 under this chapter for those areas.

3 (2)(a) The department, the superintendent of public instruction,
4 and the state board for community and technical colleges (~~(education)~~)
5 shall develop cooperatively, after consultation with automotive trades
6 joint apprenticeship committees approved in accordance with RCW
7 49.04.040, a program for granting certificates of instruction to
8 persons who successfully complete a course of study, under general
9 requirements established by the director, in the maintenance of motor
10 vehicle engines, the use of engine and exhaust analysis equipment, and
11 the repair and maintenance of emission control devices. The director
12 may establish and implement procedures for granting certification to
13 persons who successfully complete other training programs or who have
14 received certification from private organizations which meet the
15 requirements established in this subsection.

16 (b) The department shall make available to the public a list of
17 those persons who have received certificates of instruction under
18 subsection (2)(a) of this section."

19 "Sec. 82. RCW 70.180.110 and 1990 c 271 s 15 are each amended to
20 read as follows:

21 (1) The department, in consultation with at least the higher
22 education coordinating board, the state board for community and
23 technical colleges (~~(education)~~), the superintendent of public
24 instruction, and state-supported education programs in medicine,
25 pharmacy, and nursing, shall develop a plan for increasing rural
26 training opportunities for students in medicine, pharmacy, and nursing.
27 The plan shall provide for direct exposure to rural health professional
28 practice conditions for students planning careers in medicine,
29 pharmacy, and nursing.

1 (2) The department and the medical, pharmacy, and nurse education
2 programs shall:

3 (a) Inventory existing rural-based clinical experience programs,
4 including internships, clerkships, residencies, and other training
5 opportunities available to students pursuing degrees in nursing,
6 pharmacy, and medicine;

7 (b) Identify where training opportunities do not currently exist
8 and are needed;

9 (c) Develop recommendations for improving the availability of rural
10 training opportunities;

11 (d) Develop recommendations on establishing agreements between
12 education programs to assure that all students in medical, pharmacist,
13 and nurse education programs in the state have access to rural training
14 opportunities; and

15 (e) Review private and public funding sources to finance rural-
16 based training opportunities.

17 (3) The department shall report to the house of representatives and
18 senate standing committees on health care by December 1, 1990, with
19 their findings and recommendations including needed legislative
20 changes."

21 "**Sec. 83.** RCW 76.15.010 and 1991 c 179 s 3 are each amended to
22 read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "Department" means the department of natural resources.

26 (2) "Person" means an individual, partnership, private or public
27 municipal corporation, Indian tribe, state entity, county or local
28 governmental entity, or association of individuals of whatever nature.

1 (3) "Community and urban forest" is that land in and around human
2 settlements ranging from small communities to metropolitan areas,
3 occupied or potentially occupied by trees and associated vegetation.
4 Community and urban forest land may be planted or unplanted, used or
5 unused, and includes public and private lands, lands along
6 transportation and utility corridors, and forested watershed lands
7 within populated areas.

8 (4) "Community and urban forestry" means the planning,
9 establishment, protection, care, and management of trees and associated
10 plants individually, in small groups, or under forest conditions within
11 municipalities and counties.

12 (5) "Municipality" means a city, town, port district, public school
13 district, community college district, technical college district,
14 irrigation district, weed control district, park district, or other
15 political subdivision of the state."

16 "NEW SECTION. Sec. 84. Section 81 of this act shall expire
17 January 1, 1993."

1 **ESHB 2423** - S COMM AMD
2 By Committee on Higher Education

3

4 On page 1, line 2 of the title, after "28C.10.084," strike the
5 remainder of the title and insert "28C.10.120, 18.78.050, 18.88A.020,
6 28A.600.130, 28A.600.390, 28A.600.395, 28A.600.400, 28A.610.030,
7 28A.610.040, 28A.620.020, 28A.630.400, 28B.04.080, 28B.10.025,
8 28B.10.022, 28B.10.280, 28B.10.295, 28B.10.400, 28B.10.401, 28B.10.405,
9 28B.10.407, 28B.10.410, 28B.10.415, 28B.10.420, 28B.10.700, 28B.10.840,
10 28B.15.502, 28B.15.522, 28B.15.535, 28B.15.540, 28B.15.730, 28B.15.732,
11 28B.15.740, 28B.15.750, 28B.15.752, 28B.15.756, 28B.15.820, 28B.16.040,
12 28B.16.060, 28B.16.080, 28B.16.090, 28B.16.100, 28B.16.190, 28B.16.200,
13 28B.50.258, 28B.50.259, 28B.80.280, 28B.80.320, 28B.80.330, 28B.80.350,
14 28B.80.430, 28B.80.555, 28B.110.040, 28B.115.050, 28B.120.020,
15 28B.125.010, 28C.04.530, 39.94.010, 39.94.020, 39.94.040, 41.04.665,
16 41.06.070, 41.58.020, 43.19.1902, 43.31.621, 43.220.060, 50.38.030,
17 50.65.030, 51.08.012, 67.38.020, 67.38.050, 70.120.020, 70.180.110, and
18 76.15.010; reenacting and amending RCW 18.88A.070, 28B.16.020,
19 28B.50.030, and 41.32.010; adding a new section to chapter 28C.10 RCW;
20 creating a new section; repealing RCW 28C.10.910; and providing an
21 expiration date."