
HOUSE BILL 2198

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Dellwo, H. Sommers, Locke, Silver, Jacobsen, O'Brien, Orr, Moyer, Day, Ebersole, D. Sommers, Wang, Mielke, Wood, Rust, Anderson, Dorn, Morris, Phillips, Hine, Kremen, Riley, Rasmussen, Spanel, Braddock, Sprenkle, Inslee, Winsley, Sheldon, Bray, Leonard, Ogden, Franklin, R. Johnson, R. Fisher, Fraser, Valle, H. Myers, Paris, Peery, R. Meyers, Jones, Zellinsky, Van Luven, Rayburn, Pruitt, R. King, Ferguson, G. Fisher, Padden, Basich, Ludwig, Haugen, Cole, Cantwell, Cooper, Nelson, Hochstatter, Chandler, Forner, P. Johnson, Casada, Brumsickle, Vance, McLean, Mitchell, Tate, Horn, Lisk, Wynne, Beck, Fuhrman, Ballard and Morton.

Read first time April 8, 1991. Referred to Committee on Higher Education.

1 AN ACT Relating to the joint center for higher education; amending
2 RCW 28B.10.060, 28B.25.010, 28B.25.020, 28B.25.030, 28B.25.040,
3 28B.25.050, and 28B.45.050; adding new sections to chapter 28B.25 RCW;
4 repealing RCW 28B.25.060; providing an effective date; and declaring an
5 emergency.

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

7 **Sec. 1.** RCW 28B.10.060 and 1989 1st ex.s. c 7 s 10 are each
8 amended to read as follows:

9 (1) The Spokane intercollegiate research and technology institute
10 is hereby created.

11 (2) The institute shall be operated and administered as a multi-
12 institutional education and research center, housing appropriate
13 programs conducted in Spokane under the authority of Washington State
14 University, Eastern Washington University, and the community colleges
15 of Spokane. Gonzaga University and Whitworth College may participate

1 as full partners in any academic and research activities of the
2 institute. (~~Washington State University shall act as administrative~~
3 ~~and fiscal agent for the institute.~~

4 ~~(3) The institute shall be operated and administered through a~~
5 ~~cooperative arrangement of the institutions of higher education~~
6 ~~participating in the institute.~~

7 ~~(4))~~ (3) The institute shall house education and research programs
8 specifically designed to meet the needs of the greater Spokane area.

9 ~~((5))~~ (4) The coordination of programs and activities at the
10 institute shall be subject to the authority of the (~~Spokane~~) joint
11 center for higher education under RCW 28B.25.020. The institute shall
12 be administered by the joint center.

13 ~~((6))~~ (5) The establishment of any education or research programs
14 at the institute and the lease, purchase, or construction of any site
15 or facility for the institute shall be subject to the approval of the
16 higher education coordinating board pursuant to RCW 28B.80.340.

17 (6) All cabinets, furniture, office equipment, other tangible
18 property acquired by Washington State University for the institute, all
19 funds, credits, or other assets held by Washington State University for
20 the institute shall be assigned to the joint center for higher
21 education.

22 **Sec. 2.** RCW 28B.25.010 and 1985 c 370 s 97 are each amended to
23 read as follows:

24 (~~Washington State and Eastern Washington Universities shall~~
25 ~~establish, in cooperation with the council for postsecondary education~~
26 ~~or its successor agency,)) A joint center for higher education is
27 hereby established. The center shall be located in Spokane (~~on or~~
28 ~~before January 1, 1986))).~~~~

1 **Sec. 3.** RCW 28B.25.020 and 1989 1st ex.s. c 7 s 11 are each
2 amended to read as follows:

3 (1) The joint center shall have authority over all fiscal
4 activities related to the land and facilities known as the Spokane
5 higher education park subject to the approval of the higher education
6 coordinating board pursuant to RCW 28B.80.330 through 28B.80.350.

7 (2) The joint center for higher education shall coordinate all
8 (~~undergraduate~~) baccalaureate and graduate degree programs, and all
9 other (~~seminars,~~) courses(~~(,)~~) and programs (~~(of any type)~~) offered
10 in the Spokane area by Washington State University and by Eastern
11 Washington University outside of its Cheney campus. The joint center
12 for higher education shall not coordinate the intercollegiate center
13 for nursing.

14 (~~(2)~~) (3) The joint center for higher education shall coordinate
15 the following higher education activities in the Spokane area outside
16 of the Eastern Washington University Cheney campus:

17 (a) Articulation between lower division and upper division
18 programs;

19 (b) The participation of Washington State University and Eastern
20 Washington University in (~~its~~) joint (~~engineering~~) programs with
21 Gonzaga University and Whitworth College and in (~~its~~) joint
22 (~~engineering—management~~) programs with (~~Eastern—Washington~~
23 ~~University and Gonzaga University~~) each other;

24 (c) All contractual negotiations between public and independent
25 colleges and universities; and

26 (d) Programs offered through the intercollegiate research and
27 technology institute created by RCW 28B.10.060.

28 (~~(3)~~) (4) The participating institutions in the joint center for
29 higher education shall maintain jurisdiction over the content of the
30 course offerings and the entitlement to degrees. However, before any

1 degree is authorized under this section it shall be subject to review
2 and approval of the higher education coordinating board.

3 ~~((4) Disputes regarding which programs are to be coordinated by~~
4 ~~the joint center for higher education shall be arbitrated by the higher~~
5 ~~education coordinating board or its successor agency. The decision of~~
6 ~~the arbitrating agency shall be binding.))~~

7 (5) The joint center shall develop a master plan for the Spokane
8 higher education park. The plan shall be developed in cooperation with
9 the participating institutions and submitted to the higher education
10 coordinating board, legislature, and office of financial management.

11 (6) The joint center shall adopt rules as necessary to implement
12 this chapter.

13 (7) Title to or all interest in real estate and other assets,
14 including but not limited to assignable contracts, cash, equipment,
15 buildings, facilities, and appurtenances thereto held as of the
16 effective date of this section shall vest in the joint center for
17 higher education.

18 **Sec. 4.** RCW 28B.25.030 and 1985 c 370 s 99 are each amended to
19 read as follows:

20 (1) The joint center for higher education shall be ~~((administered))~~
21 governed by a board consisting of the following twelve voting members:

22 (a) ~~((Two representatives))~~ One member of the Eastern Washington
23 University ~~((appointed by the))~~ board of trustees;

24 (b) ~~((Two representatives))~~ One member of the Washington State
25 University ~~((appointed by the))~~ board of regents;

26 (c) One ~~((representative of the community colleges in the Spokane~~
27 ~~area appointed by))~~ member of the board of trustees of the Spokane
28 community college district; ~~((and))~~

1 (d) ~~((Two))~~ Six citizens residing in Spokane county. ~~((The~~
2 ~~governor, with the consent of the senate, shall appoint the initial~~
3 ~~members, one for a two year term and one for a four year term.~~
4 ~~Subsequent citizen board members shall be appointed for four year terms~~
5 ~~by the remaining voting members of the board.))~~ Of the six citizen
6 members, no more than two may be regents or trustees of Eastern
7 Washington University, Washington State University, or the Spokane
8 community college district; and

9 (e) The presidents of Washington State University and Eastern
10 Washington University, and the chief executive officer of the Spokane
11 community college district shall serve as ex officio members of the
12 board.

13 (2) The executive ~~((coordinator or designee of the council for~~
14 ~~postsecondary education or its successor agency))~~ director of the
15 higher education coordinating board, the president of Gonzaga
16 University, and the president of Whitworth College shall serve as ((a))
17 nonvoting ex officio members of the board.

18 (3) Each of the ~~((seven))~~ twelve voting members shall have one
19 vote. The voting members shall select a chairperson from among the
20 nine appointed members. A majority of the twelve voting members shall
21 constitute a quorum for conducting business.

22 NEW SECTION. Sec. 5. A new section is added to chapter 28B.25 RCW
23 to read as follows:

24 Nine members of the board shall be appointed by the governor and
25 approved by the senate. The appointed members of the board shall serve
26 for terms of four years, the terms expiring on September 30th of the
27 fourth year except that, in the case of initial members, three shall be
28 appointed to two-year terms, three shall be appointed to three-year
29 terms, and three shall be appointed to four-year terms. The term of

1 any board member who is a trustee or regent shall automatically expire
2 when the member's term as trustee or regent expires.

3 NEW SECTION. Sec. 6. A new section is added to chapter 28B.25 RCW
4 to read as follows:

5 A vacancy among appointed board members shall be filled by the
6 governor subject to confirmation by the senate then in session, or, if
7 not in session, at the next session. Board members appointed under
8 this section shall have full authority to act as a board member prior
9 to the time the senate acts on the member's confirmation. Appointments
10 to fill vacancies shall be only for such terms as remain unexpired.

11 **Sec. 7.** RCW 28B.25.040 and 1985 c 370 s 100 are each amended to
12 read as follows:

13 The board of the joint center for higher education shall hire a
14 director who may hire other staff under chapter 28B.16 RCW as necessary
15 to carry out the center's duties. (~~The director shall have the status~~
16 ~~of resident dean at the center and of dean at both Washington State and~~
17 ~~Eastern Washington Universities.)) The director shall exercise such
18 additional powers, other than rule making, as may be delegated by the
19 board by resolution.~~

20 **Sec. 8.** RCW 28B.25.050 and 1985 c 370 s 101 are each amended to
21 read as follows:

22 (~~Washington State University and Eastern Washington University~~
23 ~~shall each allocate at least fifty thousand dollars per year to~~
24 ~~implement RCW 28B.25.010 through 28B.25.060.)) The board shall have
25 authority to contract for ((financial and personnel)) services((, or
26 ~~provide such services through other means as agreed upon by the board))~~
27 as deemed appropriate to carry out its functions. Such services shall~~

1 include, but not be limited to, facilities and project management,
2 grants and contract development and monitoring, personnel services, and
3 accounting.

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.25 RCW
5 to read as follows:

6 The board is authorized to receive and expend federal funds and any
7 private gifts or grants to further the purpose of the center. The
8 funds are to be expended in accordance with federal and state law and
9 any conditions contingent in the grant of those funds.

10 NEW SECTION. **Sec. 10.** A new section is added to chapter 28B.25
11 RCW to read as follows:

12 Washington State University is authorized to represent state
13 interests in acquiring additional property at the site known as the
14 Riverpoint higher education park. This authority will transfer to the
15 joint center for higher education upon the first meeting held by the
16 joint center board.

17 **Sec. 11.** RCW 28B.45.050 and 1989 1st ex.s. c 7 s 6 are each
18 amended to read as follows:

19 Washington State University and Eastern Washington University are
20 responsible for providing upper-division and graduate level programs to
21 the citizens of the Spokane area, under rules or guidelines adopted by
22 the joint center for higher education. However, before any degree is
23 authorized under this section it shall be subject to the review and
24 approval of the higher education coordinating board. Washington State
25 University shall meet its responsibility through the operation of a
26 branch campus in the Spokane area. Eastern Washington University shall

1 meet its responsibility through the operation of ((collocated))
2 programs and facilities in Spokane.

3 NEW SECTION. **Sec. 12.** RCW 28B.25.060 and 1985 c 370 s 102 are
4 each repealed.

5 NEW SECTION. **Sec. 13.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect July 1, 1991.