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HOUSE BILL 1943

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Brumsickle, Jacobsen, Dorn, Quall, Shin, L. Johnson, King and Long

Read first time 02/17/93. Referred to Committee on Higher Education.

1 AN ACT Relating to higher education; amending RCW 28B.50.837 and  
2 28B.50.839; and adding new sections to chapter 28B.50 RCW.

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

4 **Sec. 1.** RCW 28B.50.837 and 1991 sp.s. c 13 ss 108, 109 are each  
5 amended to read as follows:

6 (1) The Washington community and technical college exceptional  
7 faculty awards program is established. The program shall be  
8 administered by the college board. The college faculty awards trust  
9 fund hereby created shall be administered by the state treasurer.

10 (2) Funds appropriated by the legislature for the community and  
11 technical college exceptional faculty awards program shall be deposited  
12 in the college faculty awards trust fund. At the request of the  
13 college board, the treasurer shall release the state matching funds to  
14 the ((designated institution's)) local endowment fund of the college or  
15 its foundation. No appropriation is necessary for the expenditure of  
16 moneys from the fund.

17 **Sec. 2.** RCW 28B.50.839 and 1991 c 238 s 64 are each amended to  
18 read as follows:

1 (1) In consultation with eligible community and technical colleges,  
2 the college board shall set priorities and guidelines for the program.

3 (2) Under this section, a college shall not receive more than four  
4 faculty grants in twenty-five thousand dollar increments, with a  
5 maximum total of one hundred thousand dollars per campus in any  
6 biennium.

7 (3) All community and technical colleges and foundations shall be  
8 eligible for matching trust funds. Institutions and foundations may  
9 apply to the college board for grants from the fund in twenty-five  
10 thousand dollar increments up to a maximum of one hundred thousand  
11 dollars when they can match the state funds with equal cash donations  
12 from private sources, except that in the initial year of the program,  
13 no college or foundation may receive more than one grant until every  
14 college or its foundation has received one grant. These donations  
15 shall be made specifically to the exceptional faculty awards program  
16 and deposited by the institution or foundation in a local endowment  
17 fund or a foundation's fund. Otherwise unrestricted gifts may be  
18 deposited in the endowment fund by the institution or foundation.

19 (4) Once sufficient private donations are received by the  
20 institution or foundation, the institution shall inform the college  
21 board and request state matching funds. The college board shall  
22 evaluate the request for state matching funds based on program  
23 priorities and guidelines. The college board may ask the state  
24 treasurer to release the state matching funds to a local endowment fund  
25 established by the institution or a foundation's fund established by a  
26 foundation for each faculty award created.

27 NEW SECTION. Sec. 3. A new section is added to chapter 28B.50 RCW  
28 to read as follows:

29 For purposes of RCW 28B.50.835 through 28B.50.843 "foundation"  
30 means a private nonprofit corporation that: (1) Is registered under  
31 Title 24 RCW and qualified as a tax-exempt entity under section  
32 501(c)(3) of the federal internal revenue code; (2) exists solely for  
33 the benefit of one or more community or technical colleges in this  
34 state; and (3) is registered with the attorney general's office under  
35 the charitable trust act, chapter 11.110 RCW.

36 NEW SECTION. Sec. 4. A new section is added to chapter 28B.50 RCW  
37 to read as follows:

1       A foundation is not eligible to receive matching funds under RCW  
2 28B.50.835 through 28B.50.843 unless the foundation and the board of  
3 trustees of the college for whose benefit the foundation exists have  
4 entered into a contract, approved by the attorney general, that: (1)  
5 Specifies the services to be provided by the foundation; (2) provides  
6 for protection of the community and technical college exceptional  
7 awards endowment funds under the foundation's control; and (3) provides  
8 for the college's assumption of ownership, management, and control of  
9 such funds if the foundation ceases to exist or function properly, or  
10 fails to provide the specified services in accordance with the  
11 contract.

12       The principal of the community and technical college exceptional  
13 awards endowment fund managed by the foundation shall not be invaded.  
14 Funds recovered by a college under this section shall be deposited into  
15 the college's local endowment fund. For purposes of this section,  
16 community and technical college exceptional awards endowment funds  
17 include the private donations, state matching funds, and any accrued  
18 interest on such donations and matching funds.

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