

2 **SHB 1326 - H AMD 339 ADOPTED 3/13/95**

3 By Representative Mulliken

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.63
8 RCW to read as follows:

9 (1) This section shall not apply to commercial activities operating
10 in an institution of higher education before January 1, 1995.

11 (2) If a dispute arises regarding a proposed commercial activity
12 exempt or nonexempt under this chapter, the institutional governing
13 board shall at the official written request of a local chamber of
14 commerce or the local city council conduct a public hearing. The
15 request shall state with reasonable particularity the issue regarding
16 (a) the institution's commercial activity; or (b) compliance with the
17 policy development process in RCW 28B.63.030; or (c) exemptions to the
18 commercial activity policy development process. The request shall
19 include a statement of economic impact on the local area. The
20 statement shall include a brief description of the commercial activity,
21 the volume of business anticipated, the number of businesses in the
22 community involved in the same or a similar commercial activity and the
23 estimated fiscal impact of the activity on the local business
24 community. Written notice and an opportunity to be heard shall be
25 provided to all interested parties. Pending the outcome of the hearing
26 the institution shall not proceed with the proposed commercial activity
27 or act on the policy that is in question.

28 (3) If the dispute is not resolved after a governing board hearing
29 held in accordance with subsection (2) of this section the governing
30 board shall upon receipt of a petition opposing a proposed commercial
31 activity that is signed by fifty percent of local business persons
32 subject to taxation under chapter 82.04 RCW, direct the institution of
33 higher education to cease the activity or refrain from engaging in a
34 proposed activity.

35 NEW SECTION. **Sec. 2.** This act is necessary for the immediate

1 preservation of the public peace, health, or safety, or support of the
2 state government and its existing public institutions, and shall take
3 effect immediately."

4 EFFECT: A process is established for an institutional governing
5 board to review disputes and upon receipt of a petition prohibit a
6 commercial activity.

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