

2 **2SHB 1622** - S COMM AMD
3 By Committee on Higher Education

4

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes the benefit to
8 our state and nation of providing equal educational opportunities for
9 all races and nationalities. The legislature finds that Hispanic
10 American students are underrepresented in Washington's colleges and
11 universities. The legislature also finds that past discriminatory
12 practices have resulted in this underrepresentation. Creating an
13 endowed scholarship program for students to work with the Hispanic
14 community will help rectify past discrimination and provide a means and
15 an incentive for Hispanic American students to pursue a higher
16 education. The state will benefit from contributions made by Hispanic
17 Americans who participate in a program of higher education.

18 NEW SECTION. **Sec. 2.** Unless the context clearly requires
19 otherwise, the definitions in this section apply throughout this
20 chapter.

21 (1) "Institution of higher education" or "institution" means a
22 college or university in the state of Washington which is accredited by
23 an accrediting association recognized as such by rule of the higher
24 education coordinating board.

25 (2) "Board" means the higher education coordinating board.

26 (3) "Eligible student" or "student" means a student who is familiar
27 with the unique educational and cultural needs of the Hispanic
28 community as defined by the board in consultation with the advisory
29 committee described in section 4 of this act, who is a financially
30 needy student, as defined by the board, who is a resident student, as
31 defined by RCW 28B.15.012(2), who is a full-time student at an
32 institution of higher education, and who promises to use his or her
33 education to benefit other Hispanic Americans.

1 NEW SECTION. **Sec. 3.** The Hispanic American endowed scholarship
2 program is created. The program shall be administered by the board.
3 In administering the program, the board's powers and duties shall
4 include but not be limited to:

5 (1) Selecting students to receive scholarships, with the assistance
6 of a screening committee composed of persons involved in helping
7 Hispanic American students obtain a higher education;

8 (2) Adopting necessary rules and guidelines;

9 (3) Publicizing the program;

10 (4) Accepting and depositing donations into the endowment fund
11 created in section 7 of this act;

12 (5) Requesting and accepting from the state treasurer moneys earned
13 from the trust fund and the endowment fund created in sections 6 and 7
14 of this act;

15 (6) Work in support of the Hispanic American community to solicit
16 and accept grants and donations from public and private sources for the
17 program; and

18 (7) Naming scholarships in honor of Hispanic Americans who have
19 acted as role models.

20 NEW SECTION. **Sec. 4.** The board shall establish an advisory
21 committee to assist in program design and to develop criteria for the
22 screening and selection of scholarship recipients. The committee shall
23 be composed of persons involved in helping Hispanic American students
24 obtain higher education. The criteria shall include a priority for
25 upper-division or graduate students. The criteria may include a
26 priority for students who are majoring in program areas in which
27 expertise is needed by the state's Hispanic Americans.

28 NEW SECTION. **Sec. 5.** The board may award scholarships to eligible
29 students from moneys earned from the endowment fund created in section
30 7 of this act, or from funds appropriated to the board for this
31 purpose, or from any private donations, or from any other funds given
32 to the board for this program. For an undergraduate student, the
33 amount of the scholarship shall not exceed the student's demonstrated
34 financial need. For a graduate student, the amount of the scholarship
35 shall not exceed the student's demonstrated need or the stipend of a
36 teaching assistant, including tuition, at the University of Washington,
37 whichever is higher. In calculating a student's need, the board shall

1 consider the student's costs for tuition, fees, books, supplies,
2 transportation, room, board, personal expenses, and child care. The
3 student's scholarship awarded under this chapter shall not exceed the
4 amount received by a student attending a state research university. A
5 student is eligible to receive a scholarship for a maximum of five
6 years. However, the length of the scholarship shall be determined at
7 the discretion of the board.

8 NEW SECTION. **Sec. 6.** The Hispanic American endowed scholarship
9 trust fund is established in the custody of the state treasurer. Funds
10 appropriated by the legislature for the trust fund shall be deposited
11 into the fund. All moneys deposited in the fund shall be invested by
12 the state treasurer. At the request of the board, and when conditions
13 set forth in section 8 of this act are met, the treasurer shall
14 transfer state matching moneys and any earned interest from the trust
15 fund to the Hispanic American scholarship endowment fund. No
16 appropriation is required for expenditures from the trust fund.

17 NEW SECTION. **Sec. 7.** The Hispanic American scholarship endowment
18 fund is established in the custody of the state treasurer. Moneys
19 received from the board, private donations, state matching moneys and
20 any earned interest, and funds received from any other source may be
21 deposited into the endowment fund. All moneys deposited in the
22 endowment fund may be invested by the state investment board. Any
23 remaining moneys shall be invested by the state treasurer. At the
24 request of the board, the treasurer shall release earnings from the
25 endowment fund to the board for scholarships. No appropriation is
26 required for expenditures from the endowment fund.

27 The principal of the endowment fund shall not be invaded. The
28 earnings on the fund shall be used solely for the purposes set forth in
29 section 5 of this act.

30 NEW SECTION. **Sec. 8.** The board may request that the treasurer
31 deposit state matching funds and any earned interest into the Hispanic
32 American scholarship endowment fund when the board can match the state
33 funds with an equal amount of private cash donations. Private cash
34 donations means moneys from nonstate sources that include, but are not
35 limited to, federal moneys, and assessments by commodity commissions

1 authorized to conduct research activities, including but not limited to
2 research studies authorized under RCW 15.66.030 and 15.65.040.

3 **Sec. 9.** RCW 43.79A.040 and 1996 c 253 s 409 are each amended to
4 read as follows:

5 (1) Money in the treasurer's trust fund may be deposited, invested
6 and reinvested by the state treasurer in accordance with RCW 43.84.080
7 in the same manner and to the same extent as if the money were in the
8 state treasury.

9 (2) All income received from investment of the treasurer's trust
10 fund shall be set aside in an account in the treasury trust fund to be
11 known as the investment income account.

12 (3) The investment income account may be utilized for the payment
13 of purchased banking services on behalf of treasurer's trust funds
14 including, but not limited to, depository, safekeeping, and
15 disbursement functions for the state treasurer or affected state
16 agencies. The investment income account is subject in all respects to
17 chapter 43.88 RCW, but no appropriation is required for payments to
18 financial institutions. Payments shall occur prior to distribution of
19 earnings set forth in subsection (4) of this section.

20 (4)(a) Monthly, the state treasurer shall distribute the earnings
21 credited to the investment income account to the state general fund
22 except under (b) and (c) of this subsection.

23 (b) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's or fund's
25 average daily balance for the period: The agricultural local fund, the
26 American Indian scholarship endowment fund, the Hispanic American
27 scholarship trust fund, the Hispanic American scholarship endowment
28 fund, the American Indian scholarship trust fund, the Washington
29 international exchange scholarship endowment fund, the energy account,
30 the fair fund, the game farm alternative account, the grain inspection
31 revolving fund, the rural rehabilitation account, and the self-
32 insurance revolving fund. However, the earnings to be distributed
33 shall first be reduced by the allocation to the state treasurer's
34 service fund pursuant to RCW 43.08.190.

35 (c) The following accounts and funds shall receive eighty percent
36 of their proportionate share of earnings based upon each account's or
37 fund's average daily balance for the period: The advanced right of way
38 revolving fund, the federal narcotics asset forfeitures account, the

1 high occupancy vehicle account, and the local rail service assistance
2 account.

3 (5) In conformance with Article II, section 37 of the state
4 Constitution, no trust accounts or funds shall be allocated earnings
5 without the specific affirmative directive of this section.

6 NEW SECTION. **Sec. 10.** Sections 1 through 8 of this act constitute
7 a new chapter in Title 28B RCW."

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11 On page 1, line 2 of the title, after "program;" strike the
12 remainder of the title and insert "amending RCW 43.79A.040; and adding
13 a new chapter to Title 28B RCW."

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