
HOUSE BILL 2703

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Hinkle, Sells, Dammeier, Seaquist, Johnson, Reykdal, Ross, Hasegawa, Haler, Warnick, and Kenney

Read first time 01/25/12. Referred to Committee on Higher Education.

1 AN ACT Relating to the designation of state universities; amending
2 RCW 28B.10.016, 15.92.005, 21.20.310, 28B.10.022, 28B.10.025,
3 28B.10.050, 28B.10.118, 28B.10.280, 28B.10.300, 28B.10.350, 28B.10.400,
4 28B.10.401, 28B.10.407, 28B.10.410, 28B.10.415, 28B.10.420, 28B.10.485,
5 28B.10.487, 28B.10.500, 28B.10.550, 28B.10.560, 28B.10.567, 28B.10.590,
6 28B.10.600, 28B.10.620, 28B.10.625, 28B.10.640, 28B.10.650, 28B.10.685,
7 28B.10.700, 28B.10.703, 28B.15.005, 28B.15.014, 28B.15.025, 28B.15.041,
8 28B.15.051, 28B.15.067, 28B.15.100, 28B.15.101, 28B.15.380, 28B.15.540,
9 28B.15.543, 28B.15.545, 28B.15.556, 28B.15.558, 28B.15.600, 28B.15.615,
10 28B.15.621, 28B.15.725, 28B.15.730, 28B.15.740, 28B.15.750, 28B.15.756,
11 28B.15.794, 28B.15.820, 28B.15.910, 28B.15.915, 28B.65.010, 28B.65.030,
12 28B.76.310, 28B.110.020, 39.10.420, 39.19.020, 39.35D.020, 39.90.060,
13 40.04.090, 40.06.040, 41.40.108, 43.19.450, 43.41.040, 43.88.195,
14 44.28.816, 46.04.127, 46.18.225, 46.63.040, 48.23.010, 82.08.025651,
15 82.12.0264, 28B.10.417, 28B.10.605, 28B.15.069, 28B.35.050, 28B.35.100,
16 28B.35.105, 28B.35.110, 28B.35.120, 28B.35.190, 28B.35.230, 28B.35.300,
17 28B.35.305, 28B.35.310, 28B.35.315, 28B.35.350, 28B.35.370, 28B.35.390,
18 28B.35.400, 28B.35.700, 28B.35.710, 28B.35.790, 28B.45.014, 28B.50.820,
19 28B.65.030, 28B.65.080, 39.35C.050, 39.35C.090, 43.79.150, and
20 43.79.180; reenacting and amending RCW 42.52.010 and 41.04.340;
21 repealing RCW 28B.35.010; and providing an effective date.

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

2 **Sec. 1.** RCW 28B.10.016 and 1992 c 231 s 1 are each amended to read
3 as follows:

4 For the purposes of this title:

5 (1) "State universities" means the University of Washington
6 ~~((and)),~~ Washington State University, Western Washington University,
7 Central Washington University, and Eastern Washington University.

8 ~~(2) ("Regional universities" means Western Washington University~~
9 ~~at Bellingham, Central Washington University at Ellensburg, and Eastern~~
10 ~~Washington University at Cheney.~~

11 ~~(3))~~ "State college" means The Evergreen State College in Thurston
12 county.

13 ~~((4))~~ (3) "Institutions of higher education" or "postsecondary
14 institutions" means the state universities, ~~((the regional~~
15 ~~universities,))~~ The Evergreen State College, the community colleges,
16 and the technical colleges.

17 ~~((5))~~ (4) "Governing board" means the board of regents or the
18 board of trustees of the institutions of higher education.

19 **Sec. 2.** RCW 15.92.005 and 1991 c 341 s 1 are each amended to read
20 as follows:

21 The legislature finds that public concerns are increasing about the
22 need for significant efforts to develop sustainable systems in
23 agriculture. The sustainable systems would address many anxieties,
24 including the erosion of agricultural lands, the protection and wise
25 utilization of natural resources, and the safety of food production.
26 Consumers have demonstrated their apprehension in the marketplace by
27 refusing to purchase products whose safety is suspect and consumer
28 confidence is essential for a viable agriculture in Washington.
29 Examples of surface and ground water contamination by pesticides and
30 chemical fertilizers raise concerns about deterioration of
31 environmental quality. Reducing soil erosion would maintain water
32 quality and protect the long-term viability of the soil for
33 agricultural productivity. Both farmers and farm labor are
34 apprehensive about the effects of pesticides on their health and
35 personal safety. Development of sustainable farming systems would

1 strengthen the economic viability of Washington's agricultural
2 production industry.

3 Public anxieties over the use of chemicals in agriculture have
4 resulted in congress amending the federal insecticide, fungicide and
5 rodenticide act which requires all pesticides and their uses registered
6 before November 1984 to be reregistered, complying with present
7 standards, by the end of 1997. The legislature finds that the
8 pesticide reregistration process and approval requirements could reduce
9 the availability of chemical pesticides for use on minor crops in
10 Washington and may jeopardize the farmers' ability to grow these crops
11 in Washington.

12 The legislature recognizes that Washington State University
13 supports research and extension programs that can lead to reductions in
14 pesticide use where viable alternatives are both environmentally and
15 economically sound. Yet, the legislature finds that a focused and
16 coordinated program is needed to develop possible alternatives,
17 increase public confidence in the safety of the food system, and
18 educate farmers and natural resource managers on land stewardship.

19 The legislature further finds that growers, processors, and
20 agribusiness depend upon pesticide laboratories associated with
21 manufacturers, (~~regional~~) state universities, state departments of
22 agriculture, and the United States department of agriculture to provide
23 residue data for registering essential pesticides. The registration of
24 uses for minor crops, which include vegetables, fruits, nuts, berries,
25 nursery and greenhouse crops, and reregistration of needed chemicals,
26 are activities of particular concern to ensure crop production.
27 Furthermore, public demands for improved information and education on
28 pesticides and risk assessment efforts justify these efforts.

29 The legislature further finds that multiple alternatives are needed
30 for pest control, including programs for integrated pest management,
31 genetic resistance to pests, biological control, cultural practices,
32 and the use of appropriate approved chemicals.

33 **Sec. 3.** RCW 21.20.310 and 2002 c 65 s 5 are each amended to read
34 as follows:

35 RCW 21.20.140 through 21.20.300, inclusive, and 21.20.327 do not
36 apply to any of the following securities:

1 (1) Any security (including a revenue obligation) issued or
2 guaranteed by the United States, any state, any political subdivision
3 of a state, or any agency or corporate or other instrumentality of one
4 or more of the foregoing; or any certificate of deposit for any of the
5 foregoing; but this exemption does not include any security payable
6 solely from revenues to be received from a nongovernmental industrial
7 or commercial enterprise unless such payments are made or
8 unconditionally guaranteed by a person whose securities are exempt from
9 registration by subsection (7) or (8) of this section: PROVIDED, That
10 the director, by rule or order, may exempt any security payable solely
11 from revenues to be received from a nongovernmental industrial or
12 commercial enterprise if the director finds that registration with
13 respect to such securities is not necessary in the public interest and
14 for the protection of investors.

15 (2) Any security issued or guaranteed by Canada, any Canadian
16 province, any political subdivision of any such province, any agency or
17 corporate or other instrumentality of one or more of the foregoing, or
18 any other foreign government with which the United States currently
19 maintains diplomatic relations, if the security is recognized as a
20 valid obligation by the issuer or guarantor; but this exemption does
21 not include any security payable solely from revenues to be received
22 from a nongovernmental industrial or commercial enterprise unless such
23 payments shall be made or unconditionally guaranteed by a person whose
24 securities are exempt from registration by subsection (7) or (8) of
25 this section.

26 (3) Any security issued by and representing an interest in or a
27 debt of, or guaranteed by, any bank organized under the laws of the
28 United States, or any bank or trust company organized or supervised
29 under the laws of any state.

30 (4) Any security issued by and representing an interest in or a
31 debt of, or guaranteed by, any federal savings and loan association, or
32 any building and loan or similar association organized under the laws
33 of any state and authorized to do business in this state.

34 (5) Any security issued by and representing an interest in or a
35 debt of, or insured or guaranteed by, any insurance company authorized
36 to do business in this state.

37 (6) Any security issued or guaranteed by any federal credit union

1 or any credit union, industrial loan association, or similar
2 association organized and supervised under the laws of this state.

3 (7) Any security issued or guaranteed by any railroad, other common
4 carrier, public utility, or holding company which is (a) a registered
5 holding company under the public utility holding company act of 1935 or
6 a subsidiary of such a company within the meaning of that act; (b)
7 regulated in respect of its rates and charges by a governmental
8 authority of the United States or any state or municipality; or (c)
9 regulated in respect of the issuance or guarantee of the security by a
10 governmental authority of the United States, any state, Canada, or any
11 Canadian province; and equipment trust certificates in respect of
12 equipment conditionally sold or leased to a railroad or public utility,
13 if other securities issued by such railroad or public utility would be
14 exempt under this subsection.

15 (8) Any security which meets the criteria for investment grade
16 securities that the director may adopt by rule.

17 (9) Any prime quality negotiable commercial paper not intended to
18 be marketed to the general public and not advertised for sale to the
19 general public that is of a type eligible for discounting by federal
20 reserve banks, that arises out of a current transaction or the proceeds
21 of which have been or are to be used for a current transaction, and
22 that evidences an obligation to pay cash within nine months of the date
23 of issuance, exclusive of days of grace, or any renewal of such paper
24 which is likewise limited, or any guarantee of such paper or of any
25 such renewal.

26 (10) Any security issued in connection with an employee's stock
27 purchase, savings, pension, profit-sharing, or similar benefit plan if:
28 (a) The plan meets the requirements for qualification as a pension,
29 profit sharing, or stock bonus plan under section 401 of the internal
30 revenue code, as an incentive stock option plan under section 422 of
31 the internal revenue code, as a nonqualified incentive stock option
32 plan adopted with or as a supplement to an incentive stock option plan
33 under section 422 of the internal revenue code, or as an employee stock
34 purchase plan under section 423 of the internal revenue code; or (b)
35 the director is notified in writing with a copy of the plan thirty days
36 before offering the plan to employees in this state. In the event of
37 late filing of notification the director may upon application, for good

1 cause excuse such late filing if he or she finds it in the public
2 interest to grant such relief.

3 (11) Any security issued by any person organized and operated as a
4 nonprofit organization as defined in RCW 84.36.800(4) exclusively for
5 religious, educational, fraternal, or charitable purposes and which
6 nonprofit organization also possesses a current tax exempt status under
7 the laws of the United States, which security is offered or sold only
8 to persons who, prior to their solicitation for the purchase of said
9 securities, were members of, contributors to, or listed as participants
10 in, the organization, or their relatives, if such nonprofit
11 organization first files a notice specifying the terms of the offering
12 and the director does not by order disallow the exemption within the
13 next ten full business days: PROVIDED, That no offerings may be made
14 until expiration of the ten full business days. Every such nonprofit
15 organization which files a notice of exemption of such securities shall
16 pay a filing fee as set forth in RCW 21.20.340(11) as now or hereafter
17 amended.

18 The notice shall consist of the following:

19 (a) The name and address of the issuer;

20 (b) The names, addresses, and telephone numbers of the current
21 officers and directors of the issuer;

22 (c) A short description of the security, price per security, and
23 the number of securities to be offered;

24 (d) A statement of the nature and purposes of the organization as
25 a basis for the exemption under this section;

26 (e) A statement of the proposed use of the proceeds of the sale of
27 the security; and

28 (f) A statement that the issuer shall provide to a prospective
29 purchaser written information regarding the securities offered prior to
30 consummation of any sale, which information shall include the following
31 statements: (i) "ANY PROSPECTIVE PURCHASER IS ENTITLED TO REVIEW
32 FINANCIAL STATEMENTS OF THE ISSUER WHICH SHALL BE FURNISHED UPON
33 REQUEST."; (ii) "RECEIPT OF NOTICE OF EXEMPTION BY THE WASHINGTON
34 ADMINISTRATOR OF SECURITIES DOES NOT SIGNIFY THAT THE ADMINISTRATOR HAS
35 APPROVED OR RECOMMENDED THESE SECURITIES, NOR HAS THE ADMINISTRATOR
36 PASSED UPON THE OFFERING. ANY REPRESENTATION TO THE CONTRARY IS A
37 CRIMINAL OFFENSE."; and (iii) "THE RETURN OF THE FUNDS OF THE PURCHASER
38 IS DEPENDENT UPON THE FINANCIAL CONDITION OF THE ORGANIZATION."

1 (12) Any charitable gift annuities issued by a board of a state
2 university(~~(, regional university,)~~) or of the state college.

3 (13) Any charitable gift annuity issued by an insurer or
4 institution holding a certificate of exemption under RCW 48.38.010.

5 **Sec. 4.** RCW 28B.10.022 and 2003 c 6 s 1 are each amended to read
6 as follows:

7 (1) The boards of regents and boards of trustees of the state
8 universities (~~((and the boards of trustees of the regional~~
9 ~~universities,))~~) The Evergreen State College, and the state board for
10 community and technical colleges, are severally authorized to enter
11 into financing contracts as provided in chapter 39.94 RCW. Except as
12 provided in subsection (2) of this section, financing contracts shall
13 be subject to the approval of the state finance committee.

14 (2) The board of regents of (~~(a state university))~~) the University
15 of Washington and Washington State University may enter into financing
16 contracts which are payable solely from and secured by all or any
17 component of the fees and revenues of the university derived from its
18 ownership and operation of its facilities not subject to appropriation
19 by the legislature and not constituting "general state revenues," as
20 defined in Article VIII, section 1 of the state Constitution, without
21 the prior approval of the state finance committee.

22 (3) Except for financing contracts for facilities or equipment
23 described under chapter 28B.140 RCW, the board of regents shall notify
24 the state finance committee at least sixty days prior to entering into
25 such contract and provide information relating to such contract as
26 requested by the state finance committee.

27 **Sec. 5.** RCW 28B.10.025 and 2005 c 36 s 2 are each amended to read
28 as follows:

29 The Washington state arts commission shall, in consultation with
30 the boards of regents and boards of trustees of the (~~(University of~~
31 ~~Washington and Washington State University and with the boards of~~
32 ~~trustees of the regional)) state universities, The Evergreen State
33 College, and the community college districts, determine the amount to
34 be made available for the purchases of art under RCW 28B.10.027, and
35 payment therefor shall be made in accordance with law. The designation
36 of projects and sites, the selection, contracting, purchase,~~

1 commissioning, reviewing of design, execution and placement,
2 acceptance, maintenance, and sale, exchange, or disposition of works of
3 art shall be the responsibility of the Washington state arts commission
4 in consultation with the board of regents or trustees.

5 **Sec. 6.** RCW 28B.10.050 and 2004 c 275 s 48 are each amended to
6 read as follows:

7 Except as the legislature shall otherwise specifically direct, the
8 boards of regents and the boards of trustees for the state
9 universities(~~(, the regional universities,)~~) and The Evergreen State
10 College may establish entrance requirements for their respective
11 institutions of higher education which meet or exceed the minimum
12 entrance requirements established under RCW 28B.76.290(2).

13 **Sec. 7.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to read
14 as follows:

15 (1) State universities(~~(, regional universities,)~~) and The
16 Evergreen State College may develop accelerated baccalaureate degree
17 programs that will allow academically qualified students to obtain a
18 baccalaureate degree in three years without attending summer classes or
19 enrolling in more than a full-time class load during the regular
20 academic year. The programs must allow academically qualified students
21 to begin coursework within their academic field during their first term
22 or semester of enrollment.

23 (2) The state universities(~~(, regional universities,)~~) and The
24 Evergreen State College shall report on their plans for the accelerated
25 baccalaureate degree programs to the higher education coordinating
26 board for approval.

27 **Sec. 8.** RCW 28B.10.280 and 1977 ex.s. c 169 s 11 are each amended
28 to read as follows:

29 The boards of regents and boards of trustees of the state
30 universities (~~(and the boards of trustees of regional universities)~~),
31 The Evergreen State College, and community college districts may each
32 create student loan funds, and qualify and participate in the National
33 Defense Education Act of 1958 and such other similar federal student
34 aid programs as are or may be enacted from time to time, and to that

1 end may comply with all of the laws of the United States, and all of
2 the rules, regulations and requirements promulgated pursuant thereto.

3 **Sec. 9.** RCW 28B.10.300 and 1977 ex.s. c 169 s 13 are each amended
4 to read as follows:

5 The boards of regents and boards of trustees of the state
6 universities (~~((and the boards of trustees of the regional~~
7 ~~universities))~~) and The Evergreen State College are severally authorized
8 to:

9 (1) Enter into contracts with persons, firms or corporations for
10 the construction, installation, equipping, repairing, renovating and
11 betterment of buildings and facilities for the following:

12 (a) Dormitories;

13 (b) Hospitals;

14 (c) Infirmaries;

15 (d) Dining halls;

16 (e) Student activities;

17 (f) Services of every kind for students, including, but not limited
18 to, housing, employment, registration, financial aid, counseling,
19 testing and offices of the dean of students;

20 (g) Vehicular parking; and

21 (h) Student, faculty and employee housing and boarding;

22 (2) Purchase or lease lands and other appurtenances necessary for
23 the construction and installation of such buildings and facilities and
24 to purchase or lease lands with buildings and facilities constructed or
25 installed thereon suitable for the purposes aforesaid;

26 (3) Lease to any persons, firms, or corporations such portions of
27 the campus of their respective institutions as may be necessary for the
28 construction and installation of buildings and facilities for the
29 purposes aforesaid and the reasonable use thereof;

30 (4) Borrow money to pay the cost of the acquisition of such lands
31 and of the construction, installation, equipping, repairing,
32 renovating, and betterment of such buildings and facilities, including
33 interest during construction and other incidental costs, and to issue
34 revenue bonds or other evidence of indebtedness therefor, and to
35 refinance the same before or at maturity and to provide for the
36 amortization of such indebtedness from services and activities fees or
37 from the rentals, fees, charges, and other income derived through the

1 ownership, operation and use of such lands, buildings, and facilities
2 and any other dormitory, hospital, infirmary, dining, student
3 activities, student services, vehicular parking, housing or boarding
4 building or facility at the institution;

5 (5) Contract to pay as rental or otherwise the cost of the
6 acquisition of such lands and of the construction and installation of
7 such buildings and facilities on the amortization plan; the contract
8 not to run over forty years;

9 (6) Expend on the amortization plan services and activities fees
10 and/or any part of all of the fees, charges, rentals, and other income
11 derived from any or all revenue-producing lands, buildings, and
12 facilities of their respective institutions, heretofore or hereafter
13 acquired, constructed or installed, including but not limited to income
14 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing
15 or student activity buildings, vehicular parking facilities, land or
16 the appurtenances thereon, and to pledge such services and activities
17 fees and/or the net income derived through the ownership, operation and
18 use of any lands, buildings or facilities of the nature described in
19 subsection (1) hereof for the payment of part or all of the rental,
20 acquisition, construction, and installation, and the betterment,
21 repair, and renovation or other contract charges, bonds or other
22 evidence of indebtedness agreed to be paid on account of the
23 acquisition, construction, installation or rental of, or the
24 betterment, repair or renovation of, lands, buildings, facilities and
25 equipment of the nature authorized by this section.

26 **Sec. 10.** RCW 28B.10.350 and 2009 c 229 s 2 are each amended to
27 read as follows:

28 (1) When the cost to The Evergreen State College or any (~~regional~~
29 ~~or~~) state university of any building, construction, renovation,
30 remodeling, or demolition, other than maintenance or repairs, will
31 equal or exceed the sum of ninety thousand dollars, or forty-five
32 thousand dollars if the work involves one trade or craft area, complete
33 plans and specifications for the work shall be prepared, the work shall
34 be put out for public bid, and the contract shall be awarded to the
35 responsible bidder who submits the lowest responsive bid.

36 (2) Any building, construction, renovation, remodeling, or

1 demolition project that exceeds the dollar amounts in subsection (1) of
2 this section is subject to the provisions of chapter 39.12 RCW.

3 (3) The Evergreen State College or any (~~regional or~~) state
4 university may require a project to be put to public bid even when it
5 is not required to do so under subsection (1) of this section. Any
6 project publicly bid under this subsection is subject to the provisions
7 of chapter 39.12 RCW.

8 (4) Where the estimated cost of any building, construction,
9 renovation, remodeling, or demolition is less than ninety thousand
10 dollars or the contract is awarded by the small works roster procedure
11 authorized in RCW 39.04.155, the publication requirements of RCW
12 39.04.020 do not apply.

13 (5) In the event of any emergency when the public interest or
14 property of The Evergreen State College or a (~~regional or~~) state
15 university would suffer material injury or damage by delay, the
16 president of such college or university may declare the existence of an
17 emergency and, reciting the facts constituting the same, may waive the
18 requirements of this section with reference to any contract in order to
19 correct the condition causing the emergency. For the purposes of this
20 section, "emergency" means a condition likely to result in immediate
21 physical injury to persons or to property of the college or university
22 in the absence of prompt remedial action or a condition which
23 immediately impairs the institution's ability to perform its
24 educational obligations.

25 (6) This section does not apply when a contract is awarded by the
26 small works roster procedure authorized in RCW 39.04.155 or under any
27 other procedure authorized for an institution of higher education.

28 **Sec. 11.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each
29 amended to read as follows:

30 (1) The boards of regents and boards of trustees of the state
31 universities, the boards of trustees of (~~the regional universities and~~
32 ~~of~~) The Evergreen State College, the state board for community and
33 technical colleges, and the higher education coordinating board are
34 authorized and empowered:

35 (a) To assist the faculties and such other employees exempt from
36 civil service pursuant to RCW 41.06.070 (1)(~~ee~~) (z) and (2) as any
37 such board may designate in the purchase of old age annuities or

1 retirement income plans under such rules as any such board may
2 prescribe, subject to the restrictions in subsection (2) of this
3 section. County agricultural agents, home demonstration agents, 4-H
4 club agents, and assistant county agricultural agents paid jointly by
5 the Washington State University and the several counties shall be
6 deemed to be full-time employees of the Washington State University for
7 the purposes of this section;

8 (b) To provide, under such rules as any such board may prescribe
9 for the faculty members or other employees exempt from civil service
10 pursuant to RCW 41.06.070 (1)((~~ee~~)) (z) and (2) under its
11 supervision, for the retirement of any such faculty member or other
12 exempt employee on account of age or condition of health, retirement on
13 account of age to be not earlier than the sixty-fifth birthday:
14 PROVIDED, That such faculty member or such other exempt employee may
15 elect to retire at the earliest age specified for retirement by federal
16 social security law: PROVIDED FURTHER, That any supplemental payment
17 authorized by (c) of this subsection and paid as a result of retirement
18 earlier than age sixty-five shall be at an actuarially reduced rate;
19 and shall be provided only to those persons who participate in an
20 annuity or retirement income plan under (a) of this subsection prior to
21 July 1, 2011;

22 (c) To pay only to those persons who participate in an annuity or
23 retirement income plan under (a) of this subsection prior to July 1,
24 2011, or to his or her designated beneficiary(s), each year after his
25 or her retirement, a supplemental amount which, when added to the
26 amount of such annuity or retirement income plan, or retirement income
27 benefit pursuant to RCW 28B.10.415, received by the retired person or
28 the retired person's designated beneficiary(s) in such year, will not
29 exceed fifty percent of the average annual salary paid to such retired
30 person for his or her highest two consecutive years of full-time
31 service under an annuity or retirement income plan established pursuant
32 to (a) of this subsection at an institution of higher education:
33 PROVIDED, HOWEVER, That if such retired person prior to retirement
34 elected a supplemental payment survivors option, any such supplemental
35 payments to such retired person or the retired person's designated
36 beneficiary(s) shall be at actuarially reduced rates: PROVIDED
37 FURTHER, That if a faculty member or other employee of an institution
38 of higher education who is a participant in a retirement plan

1 authorized by this section dies, or has died before retirement but
2 after becoming eligible for retirement on account of age, the
3 designated beneficiary(s) shall be entitled to receive the supplemental
4 payment authorized by this subsection to which such designated
5 beneficiary(s) would have been entitled had said deceased faculty
6 member or other employee retired on the date of death after electing a
7 supplemental payment survivors option: PROVIDED FURTHER, That for the
8 purpose of this subsection, the designated beneficiary(s) shall be (i)
9 the surviving spouse of the retiree; or, (ii) with the written consent
10 of such spouse, if any, such other person or persons as shall have an
11 insurable interest in the retiree's life and shall have been nominated
12 by written designation duly executed and filed with the retiree's
13 institution of higher education.

14 (2) Boards are prohibited from offering a purchased annuity or
15 retirement income plan authorized under this section to employees hired
16 on or after July 1, 2011, who have retired or are eligible to retire
17 from a public employees' retirement system described in RCW 41.50.030.
18 The higher education coordinating board shall only offer participation
19 in a purchased annuity or retirement income plan authorized under this
20 section to employees who have previously contributed premiums to a
21 similar qualified plan.

22 (3) During the 2011 legislative interim, the select committee on
23 pension policy shall evaluate the suitability and necessity of the
24 annuity and retirement plans authorized under this chapter for
25 employees in various positions within higher education institutions.
26 The select committee shall report its findings, including any
27 recommendations for restrictions on future plan membership, to the ways
28 and means committees of the house of representatives and the senate no
29 later than December 31, 2011.

30 **Sec. 12.** RCW 28B.10.401 and 1979 ex.s. c 259 s 3 are each amended
31 to read as follows:

32 The boards of regents and boards of trustees of the state
33 universities(~~(, the boards of trustees of the state colleges,)~~) and the
34 state board for community and technical colleges (~~(education)~~), when
35 establishing the amount of supplemental payment under RCW
36 28B.10.400(~~(+3)~~) (1)(c) as now or hereafter amended, shall apply the
37 following assumptions:

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

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

11 (3) That for each year after age fifty, the maximum amount of
12 contributions pursuant to RCW 28B.10.410 as now or hereafter amended be
13 contributed toward the purchase of such annuity or retirement income
14 plan, otherwise three-fourths of the formula described in RCW
15 28B.10.415, as now or hereafter amended, shall be applied.

16 **Sec. 13.** RCW 28B.10.407 and 1987 c 448 s 1 are each amended to
17 read as follows:

18 (1) A faculty member or other employee designated by the boards of
19 regents or boards of trustees of the state universities (~~(, the boards~~
20 ~~of trustees of the regional universities))~~) and The Evergreen State
21 College, or the state board for community and technical colleges
22 (~~(education))~~) who is granted an authorized leave of absence without pay
23 may apply the period of time while on the leave in the computation of
24 benefits in any annuity and retirement plan authorized under RCW
25 28B.10.400 through 28B.10.430 only to the extent provided in subsection
26 (2) of this section.

27 (2) An employee who is eligible under subsection (1) of this
28 section may receive a maximum of two years' credit during the
29 employee's entire working career for periods of authorized leave
30 without pay. Such credit may be obtained only if the employee pays
31 both the employer and employee contributions required under RCW
32 28B.10.405 and 28B.10.410 while on the authorized leave of absence and
33 if the employee returns to employment with the university or college
34 immediately following the leave of absence for a period of not less
35 than two years. The employee and employer contributions shall be based
36 on the average of the employee's compensation at the time the leave of
37 absence was authorized and the time the employee resumes employment.

1 Any benefit under RCW 28B.10.400(~~(+3)~~) (1)(c) shall be based only on
2 the employee's compensation earned from employment with the university
3 or college.

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

6 **Sec. 14.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each
7 amended to read as follows:

8 The boards of regents and boards of trustees of the state
9 universities(~~(, the boards of trustees of the regional universities)~~)
10 and of The Evergreen State College, the higher education coordinating
11 board, or the state board for community and technical colleges shall
12 pay not more than one-half of the annual premium of any annuity or
13 retirement income plan established under the provisions of RCW
14 28B.10.400. Such contribution shall not exceed ten percent of the
15 salary of the faculty member or other employee on whose behalf the
16 contribution is made. This contribution may be in addition to federal
17 social security tax contributions made by the boards, if any.

18 **Sec. 15.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each
19 amended to read as follows:

20 The boards of regents and boards of trustees of the state
21 universities(~~(, the boards of trustees of the regional universities)~~)
22 and of The Evergreen State College, the higher education coordinating
23 board, or the state board for community and technical colleges shall
24 not pay any amount to be added to the annuity or retirement income plan
25 of any retired person who was first hired on or after July 1, 2011, or
26 who has served for less than ten years in one or more of the state
27 institutions of higher education. In the case of persons who have
28 served more than ten years but less than twenty-five years no amount
29 shall be paid in excess of four percent of the amount authorized in RCW
30 28B.10.400(1)(c), multiplied by the number of years of full-time
31 service rendered by such person: PROVIDED, That credit for years of
32 service at an institution of higher education shall be limited to those
33 years in which contributions were made by a faculty member or other
34 employee designated pursuant to RCW 28B.10.400(1)(a) and the
35 institution or the state as a result of which a benefit is being
36 received by a retired person from any Washington state public

1 retirement plan: PROVIDED FURTHER, That all such benefits that a
2 retired person is eligible to receive shall reduce any supplementation
3 payments provided for in RCW 28B.10.400.

4 **Sec. 16.** RCW 28B.10.420 and 1979 c 14 s 1 are each amended to read
5 as follows:

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

15 (2) As provided in this subsection, the board of regents or board
16 of trustees of a state university(~~(, the board of trustees of a~~
17 ~~regional university)~~) or The Evergreen State College, or the state
18 board for community and technical colleges (~~(education)~~) may reemploy
19 any person who is "retired" pursuant to subsection (1) of this section,
20 who applies for reemployment and who has reached seventy years of age
21 on or after July 1, 1970. The following provisions shall govern such
22 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
30 plan. Reemployment shall not result in the reemployed person or
31 employer making any contributions to any such plan.

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

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

6 (e) A person reemployed pursuant to this section shall comply with
7 all conditions of reemployment and all rules providing for the
8 administration of this subsection which are prescribed or adopted by
9 the board of regents, or board of trustees, or by the state board for
10 community and technical colleges (~~(education)~~).

11 **Sec. 17.** RCW 28B.10.485 and 1979 c 130 s 1 are each amended to
12 read as follows:

13 The boards of the state universities(~~(, regional universities,)~~)
14 and the state college are authorized to issue charitable gift annuities
15 paying a fixed dollar amount to individual annuitants for their
16 lifetimes in exchange for the gift of assets to the respective
17 institution in a single transaction. The boards shall invest one
18 hundred percent of the charitable gift annuity assets in a reserve for
19 the lifetimes of the respective annuitants to meet liabilities that
20 result from the gift program.

21 **Sec. 18.** RCW 28B.10.487 and 1979 c 130 s 5 are each amended to
22 read as follows:

23 The obligation to make annuity payments to individuals under
24 charitable gift annuity agreements issued by the board of a state
25 university(~~(, regional university,)~~) or of the state college pursuant
26 to RCW 28B.10.485 shall be secured by and limited to the assets given
27 in exchange for the annuity and reserves established by the board.
28 Such agreements shall not constitute:

- 29 (1) An obligation, either general or special, of the state; or
30 (2) A general obligation of a state university(~~(, regional~~
31 ~~university,)~~) or of the state college or of the board.

32 **Sec. 19.** RCW 28B.10.500 and 1977 ex.s. c 169 s 21 are each amended
33 to read as follows:

34 No regent or trustee of the state universities(~~(, or trustee of the~~
35 ~~regional universities)~~) or of The Evergreen State College shall be

1 removed during the term of office for which appointed, excepting only
2 for misconduct or malfeasance in office, and then only in the manner
3 hereinafter provided. Before any regent or trustee may be removed for
4 such misconduct or malfeasance, a petition for removal, stating the
5 nature of the misconduct or malfeasance of such regent or trustee with
6 reasonable particularity, shall be signed and verified by the governor
7 and served upon such regent or trustee. Said petition, together with
8 proof of service of same upon such regent or trustee, shall forthwith
9 be filed with the clerk of the supreme court. The chief justice of the
10 supreme court shall thereupon designate a tribunal composed of three
11 judges of the superior court to hear and adjudicate the charges. Such
12 tribunal shall fix the time of hearing, which shall be public, and the
13 procedure for the hearing, and the decision of such tribunal shall be
14 final and not subject to review by the supreme court. Removal of any
15 member of the board by the tribunal shall disqualify such member for
16 reappointment.

17 **Sec. 20.** RCW 28B.10.550 and 1977 ex.s. c 169 s 24 are each amended
18 to read as follows:

19 The boards of regents and boards of trustees of the state
20 universities, and (~~the boards of trustees of the regional universities~~
21 ~~or~~)) of The Evergreen State College, acting independently and each on
22 behalf of its own institution:

23 (1) May each establish a police force for its own institution,
24 which force shall function under such conditions and regulations as the
25 board prescribes; and

26 (2) May supply appropriate badges and uniforms indicating the
27 positions and authority of the members of such police force.

28 **Sec. 21.** RCW 28B.10.560 and 1983 c 221 s 1 are each amended to
29 read as follows:

30 (1) The boards of regents and boards of trustees of the state
31 universities(~~(, and the boards of trustees of the regional~~
32 ~~universities)~~) and of The Evergreen State College, acting independently
33 and each on behalf of its own institution, may each:

34 (a) Establish and promulgate rules and regulations governing
35 pedestrian traffic and vehicular traffic and parking upon lands and
36 facilities of the university or college;

1 (b) Adjudicate matters involving parking infractions internally;
2 and

3 (c) Collect and retain any penalties so imposed.

4 (2) If the rules or regulations promulgated under subsection (1) of
5 this section provide for internal adjudication of parking infractions,
6 a person charged with a parking infraction who deems himself or herself
7 aggrieved by the final decision in an internal adjudication may, within
8 ten days after written notice of the final decision, appeal by filing
9 a written notice thereof with the college or university police force.
10 Documents relating to the appeal shall immediately be forwarded to the
11 district court in the county in which the offense was committed, which
12 court shall have jurisdiction over such offense and such appeal shall
13 be heard de novo.

14 **Sec. 22.** RCW 28B.10.567 and 2011 c 336 s 713 are each amended to
15 read as follows:

16 The boards of regents and the boards of trustees of the state
17 universities and (~~board of trustees of the regional universities and~~
18 ~~the board of trustees~~) of The Evergreen State College are authorized
19 and empowered, under such rules and regulations as any such board may
20 prescribe for the duly sworn police officers employed by any such board
21 as members of a police force established pursuant to RCW 28B.10.550, to
22 provide for the payment of death or disability benefits or medical
23 expense reimbursement for death, disability, or injury of any such duly
24 sworn police officer who, in the line of duty, loses his or her life or
25 becomes disabled or is injured, and for the payment of such benefits to
26 be made to any such duly sworn police officer or his or her surviving
27 spouse or the legal guardian of his or her child or children, as
28 defined in RCW 41.26.030(6), or his or her estate: PROVIDED, That the
29 duty-related benefits authorized by this section shall in no event be
30 greater than the benefits authorized on June 25, 1976, for duty-related
31 death, disability, or injury of a law enforcement officer under chapter
32 41.26 RCW: PROVIDED FURTHER, That the duty-related benefits authorized
33 by this section shall be reduced to the extent of any amounts received
34 or eligible to be received on account of the duty-related death,
35 disability, or injury to any such duly sworn police officer, his or her
36 surviving spouse, the legal guardian of his or her child or children,
37 or his or her estate, under workers' compensation, social security

1 including the changes incorporated under Public Law 89-97 as now or
2 hereafter amended, or disability income insurance and health care plans
3 under chapter 41.05 RCW.

4 **Sec. 23.** RCW 28B.10.590 and 2009 c 241 s 1 are each amended to
5 read as follows:

6 (1) The boards of regents and the boards of trustees of the state
7 universities(~~(, the boards of trustees of the regional universities))~~
8 and The Evergreen State College, and the boards of trustees of each
9 community and technical college district, in collaboration with
10 affiliated bookstores and student and faculty representatives, shall
11 adopt rules requiring that:

12 (a) Affiliated bookstores:

13 (i) Provide students the option of purchasing materials that are
14 unbundled when possible, disclose to faculty and staff the costs to
15 students of purchasing materials, and disclose publicly how new
16 editions vary from previous editions;

17 (ii) Actively promote and publicize book buy-back programs;

18 (iii) Disclose retail costs for course materials on a per course
19 basis to faculty and staff and make this information publicly
20 available; and

21 (iv) Disclose information to students on required course materials
22 including but not limited to title, authors, edition, price, and
23 International Standard Book Number (ISBN) at least four weeks before
24 the start of the class for which the materials are required. The chief
25 academic officer may waive the disclosure requirement provided in this
26 subsection (1)(a)(iv), on a case-by-case basis, if students may
27 reasonably expect that nearly all information regarding course
28 materials is available four weeks before the start of the class for
29 which the materials are required. The requirement provided in this
30 subsection (1)(a)(iv) does not apply if the faculty member using the
31 course materials is hired four weeks or less before the start of class;
32 and

33 (b) Faculty and staff members consider the least costly practices
34 in assigning course materials, such as adopting the least expensive
35 edition available, adopting free, open textbooks when available, and
36 working with college librarians to put together collections of free

1 online web and library resources, when educational content is
2 comparable as determined by the faculty.

3 (2) As used in this section:

4 (a) "Materials" means any supplies or texts required or recommended
5 by faculty or staff for a given course.

6 (b) "Bundled" means a group of objects joined together by packaging
7 or required to be purchased as an indivisible unit.

8 **Sec. 24.** RCW 28B.10.600 and 1977 ex.s. c 169 s 27 are each amended
9 to read as follows:

10 The boards of regents of the (~~state universities~~) University of
11 Washington and Washington State University are each authorized to enter
12 into agreements with the board of directors of any school district in
13 this state whereby one or more of the public schools operated by such
14 district may be used by the university for the purpose of training
15 students at said university as teachers, supervisors, principals, or
16 superintendents. The boards of trustees of (~~the regional~~
17 ~~universities~~) Central Washington University, Eastern Washington
18 University, and Western Washington University and of The Evergreen
19 State College are authorized to enter into similar agreements for the
20 purpose of training students at their institutions as teachers,
21 supervisors, or principals.

22 **Sec. 25.** RCW 28B.10.620 and 1969 ex.s. c 223 s 28B.10.620 are each
23 amended to read as follows:

24 The boards of regents and boards of trustees of the state
25 universities are hereby empowered to enter into agreements with
26 corporations organized under chapters 24.08, 24.16, or 24.20 RCW,
27 whereby such corporations may be permitted to conduct on university
28 property devoted mainly to medical, educational or research activities,
29 under such conditions as the boards of regents and boards of trustees
30 shall prescribe, any educational, hospital, research or related
31 activity which the boards of regents and boards of trustees shall find
32 will further the objects of the university.

33 **Sec. 26.** RCW 28B.10.625 and 1969 ex.s. c 223 s 28B.10.625 are each
34 amended to read as follows:

35 The boards of regents and boards of trustees of the state

1 universities may expend funds available to said institutions in any
2 cooperative effort with such corporations which will further the
3 objects of the particular university and may permit any such
4 corporation or corporations to use any property of the university in
5 carrying on said functions.

6 **Sec. 27.** RCW 28B.10.640 and 1977 ex.s. c 169 s 29 are each amended
7 to read as follows:

8 The associated students of the (~~University of Washington, the~~
9 ~~associated students of Washington State University,~~) state
10 universities and the student associations of the state community
11 colleges (~~and the student associations of the regional universities~~)
12 and of The Evergreen State College shall contract for all purchases for
13 printing of athletic programs, athletic tickets, athletic press
14 brochures, yearbooks, magazines, newspapers, and letting of
15 concessions, exceeding one thousand dollars, notice of call for bid on
16 the same to be published in at least two newspapers of general
17 circulation in the county wherein the institution is located two weeks
18 prior to the award being made. The contract shall be awarded to the
19 lowest responsible bidder, if the price bid is fair and reasonable and
20 not greater than the market value and price, and if the bid
21 satisfactorily covers the quality, design, performance, convenience and
22 reliability of service of the manufacturer and/or dealer. The
23 aforesaid student associations may require such security as they deem
24 proper to accompany the bids submitted, and they shall also fix the
25 amount of the bond or other security that shall be furnished by the
26 person to whom the contract is awarded. Such student associations may
27 reject any or all bids submitted, if for any reason it is deemed for
28 the best interest of their organizations to do so and readvertise in
29 accordance with the provisions of this section. The student
30 associations may reject the bid of any person who has had a prior
31 contract, and who did not, in its opinion, faithfully comply with its
32 terms: PROVIDED, That nothing in this section shall apply to printing
33 done or presses owned and operated by the associated students of the
34 (~~University of Washington, the associated students of Washington State~~
35 ~~University or the student associations of the regional~~) state
36 universities or of The Evergreen State College or community colleges,

1 or to printing done on presses owned or operated by their respective
2 institutions.

3 **Sec. 28.** RCW 28B.10.650 and 2004 c 275 s 45 are each amended to
4 read as follows:

5 It is the intent of the legislature that when the state (~~and~~
6 ~~regional~~) universities, The Evergreen State College, and community
7 colleges grant professional leaves to faculty and exempt staff, such
8 leaves be for the purpose of providing opportunities for study,
9 research, and creative activities for the enhancement of the
10 institution's instructional and research programs.

11 The boards of regents and boards of trustees of the state
12 universities(~~, the boards of trustees of the regional universities~~)
13 and of The Evergreen State College and the board of trustees of each
14 community college district may grant remunerated professional leaves to
15 faculty members and exempt staff, as defined in RCW 41.06.070, in
16 accordance with regulations adopted by the respective governing boards
17 for periods not to exceed twelve consecutive months in accordance with
18 the following provisions:

19 (1) The remuneration from state general funds and general local
20 funds for any such leave granted for any academic year shall not exceed
21 the average of the highest quartile of a rank order of salaries of all
22 full time teaching faculty holding academic year contracts or
23 appointments at the institution or in the district.

24 (2) Remunerated professional leaves for a period of more or less
25 than an academic year shall be compensated at rates not to exceed a
26 proportional amount of the average salary as otherwise calculated for
27 the purposes of subsection (1) of this section.

28 (3) The grant of any such professional leave shall be contingent
29 upon a signed contractual agreement between the respective governing
30 board and the recipient providing that the recipient shall return to
31 the granting institution or district following his or her completion of
32 such leave and serve in a professional status for a period commensurate
33 with the amount of leave so granted. Failure to comply with the
34 provisions of such signed agreement shall constitute an obligation of
35 the recipient to repay to the institution any remuneration received
36 from the institution during the leave.

1 (4) The aggregate cost of remunerated professional leaves awarded
2 at the institution or district during any year, including the cost of
3 replacement personnel, shall not exceed the cost of salaries which
4 otherwise would have been paid to personnel on leaves: PROVIDED, That
5 for community college districts the aggregate cost shall not exceed one
6 hundred fifty percent of the cost of salaries which would have
7 otherwise been paid to personnel on leaves: PROVIDED FURTHER, That
8 this subsection shall not apply to any community college district with
9 fewer than seventy-five full time faculty members and granting fewer
10 than three individuals such leaves in any given year.

11 (5) The average number of annual remunerated professional leaves
12 awarded at any such institution or district shall not exceed four
13 percent of the total number of full time equivalent faculty, as defined
14 by the office of financial management, who are engaged in instruction,
15 and exempt staff as defined in RCW 41.06.070.

16 (6) Negotiated agreements made in accordance with chapter 28B.52
17 RCW and entered into after July 1, 1977, shall be in conformance with
18 the provisions of this section.

19 (7) The respective institutions and districts shall maintain such
20 information which will ensure compliance with the provisions of this
21 section.

22 **Sec. 29.** RCW 28B.10.685 and 1995 c 310 s 3 are each amended to
23 read as follows:

24 Beginning in 1997, by September 30th of each year, each state
25 university, (~~regional university,~~) state college, and, for community
26 colleges and technical colleges, the state board for community and
27 technical colleges shall provide a report to the office of the
28 superintendent of public instruction, the state board of education, and
29 the commission on student learning under RCW 28A.630.885. The report
30 shall contain the following information on students who, within three
31 years of graduating from a Washington high school, enrolled the prior
32 year in a state-supported precollege level class at the institution:

- 33 (1) The number of such students enrolled in a precollege level class in
34 mathematics, reading, grammar, spelling, writing, or English; (2) the
35 types of precollege classes in which each student was enrolled; and (3)
36 the name of the Washington high school from which each student
37 graduated.

1 For students who enrolled in a precollege class within three years
2 of graduating from a Washington high school, each institution of higher
3 education shall also report to the Washington high school from which
4 the student graduated. The annual report shall include information on
5 the number of students from that high school enrolled in precollege
6 classes, and the types of classes taken by the students.

7 **Sec. 30.** RCW 28B.10.700 and 1977 ex.s. c 169 s 31 are each amended
8 to read as follows:

9 The state board for community and technical colleges (~~(education)~~),
10 the boards of trustees of (~~(the regional universities and of)~~) The
11 Evergreen State College, and the boards of regents and boards of
12 trustees of the state universities, with appreciation of the
13 legislature's desire to emphasize physical education courses in their
14 respective institutions, shall provide for the same, being cognizant of
15 legislative guide lines put forth in RCW 28A.230.050 relating to
16 physical education courses in high schools.

17 **Sec. 31.** RCW 28B.10.703 and 1977 ex.s. c 169 s 32 are each amended
18 to read as follows:

19 The governing boards of each of the state universities, (~~(the~~
20 ~~regional universities,~~) The Evergreen State College, and community
21 colleges in addition to their other duties prescribed by law shall have
22 the power and authority to establish programs for intercollegiate
23 athletic competition. Such competition may include participation as a
24 member of an athletic conference or conferences, in accordance with
25 conference rules.

26 **Sec. 32.** RCW 28B.15.005 and 1977 ex.s. c 169 s 33 are each amended
27 to read as follows:

28 (1) "Colleges and universities" for the purposes of this chapter
29 shall mean Central Washington University at Ellensburg, Eastern
30 Washington University at Cheney, Western Washington University at
31 Bellingham, The Evergreen State College in Thurston county, community
32 colleges as are provided for in chapter 28B.50 RCW, the University of
33 Washington, and Washington State University.

34 (2) "State universities" for the purposes of this chapter shall

1 mean the University of Washington (~~and~~), Washington State University,
2 Central Washington University, Eastern Washington University, and
3 Western Washington University.

4 (~~(3) "Regional universities" for the purposes of this chapter~~
5 ~~shall mean Central Washington University, Eastern Washington University~~
6 ~~and Western Washington University.~~)

7 **Sec. 33.** RCW 28B.15.014 and 2000 c 117 s 3 are each amended to
8 read as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the state universities, (~~the regional universities,~~) The Evergreen
11 State College, and the community colleges may exempt the following
12 nonresidents from paying all or a portion of the nonresident tuition
13 fees differential:

14 (1) Any person who resides in the state of Washington and who holds
15 a graduate service appointment designated as such by a public
16 institution of higher education or is employed for an academic
17 department in support of the instructional or research programs
18 involving not less than twenty hours per week during the term such
19 person shall hold such appointment.

20 (2) Any faculty member, classified staff member or administratively
21 exempt employee holding not less than a half time appointment at an
22 institution who resides in the state of Washington, and the dependent
23 children and spouse of such persons.

24 (3) Any immigrant refugee and the spouse and dependent children of
25 such refugee, if the refugee (a) is on parole status, or (b) has
26 received an immigrant visa, or (c) has applied for United States
27 citizenship.

28 (4) Any dependent of a member of the United States congress
29 representing the state of Washington.

30 **Sec. 34.** RCW 28B.15.025 and 1985 c 390 s 12 are each amended to
31 read as follows:

32 The term "building fees" means the fees charged students
33 registering at the state's colleges and universities, which fees are to
34 be used as follows: At the University of Washington, solely for the
35 purposes provided in RCW 28B.15.210; at Washington State University,
36 solely for the purposes provided in RCW 28B.15.310; at (~~each of the~~

1 ~~regional—universities))~~ Central Washington University, Eastern
2 Washington University, Western Washington University, and at The
3 Evergreen State College, solely for the purposes provided in RCW
4 28B.35.370; and at the community colleges, for the purposes provided in
5 RCW 28B.50.320, 28B.50.360 and 28B.50.370. The term "building fees" is
6 a renaming of the "general tuition fee," and shall not be construed to
7 affect otherwise moneys pledged to, or used for bond retirement
8 purposes.

9 **Sec. 35.** RCW 28B.15.041 and 1985 c 390 s 14 are each amended to
10 read as follows:

11 The term "services and activities fees" as used in this chapter is
12 defined to mean fees, other than tuition fees, charged to all students
13 registering at the state's community colleges, (~~regional~~
14 ~~universities,~~) The Evergreen State College, and state universities.
15 Services and activities fees shall be used as otherwise provided by law
16 or by rule or regulation of the board of trustees or regents of each of
17 the state's community colleges, The Evergreen State College, (~~the~~
18 ~~regional—universities,~~) or the state universities for the express
19 purpose of funding student activities and programs of their particular
20 institution. Student activity fees, student use fees, student building
21 use fees, special student fees, or other similar fees charged to all
22 full time students, or to all students, as the case may be, registering
23 at the state's colleges or universities and pledged for the payment of
24 bonds heretofore or hereafter issued for, or other indebtedness
25 incurred to pay, all or part of the cost of acquiring, constructing or
26 installing any lands, buildings, or facilities of the nature described
27 in RCW 28B.10.300 as now or hereafter amended, shall be included within
28 and deemed to be services and activities fees.

29 **Sec. 36.** RCW 28B.15.051 and 1996 c 142 s 1 are each amended to
30 read as follows:

31 (1) The governing board of each of the state universities(~~(,—the~~
32 ~~regional—universities,~~) and The Evergreen State College, upon the
33 written agreement of its respective student government association or
34 its equivalent, may establish and charge each enrolled student a
35 technology fee, separate from tuition fees. During the 1996-97
36 academic year, any technology fee shall not exceed one hundred twenty

1 dollars for a full-time student. Any technology fee charged to a part-
2 time student shall be calculated as a pro rata share of the fee charged
3 to a full-time student.

4 (2) Revenue from this fee shall be used exclusively for technology
5 resources for general student use.

6 (3) Only changes in the amount of the student technology fee agreed
7 upon by both the governing board and its respective student government
8 association or its equivalent shall be used to adjust the amount
9 charged to students. Changes in the amount charged to students, once
10 implemented, become the basis for future changes.

11 (4) Annually, the student government association or its equivalent
12 may abolish the fee by a majority vote. In the event of such a vote,
13 the student government association or its equivalent shall notify the
14 governing board of the institution. The fee shall cease being
15 collected the term after the student government association or its
16 equivalent voted to eliminate the fee.

17 (5) The student government association or its equivalent shall
18 approve the annual expenditure plan for the fee revenue.

19 (6) The universities and The Evergreen State College shall deposit
20 three and one-half percent of revenues from the technology fee into the
21 institutional financial aid fund under RCW 28B.15.820.

22 (7) As used in this section, "technology fee" is a fee charged to
23 students to recover, in whole or in part, the costs of providing and
24 maintaining services to students that include, but need not be limited
25 to: Access to the internet and world wide web, e-mail, computer and
26 multimedia work stations and laboratories, computer software, and dial-
27 up telephone services.

28 (8) Prior to the establishment of a technology fee, a governing
29 board shall provide to the student governing body a list of existing
30 fees of a similar nature or for a similar purpose. The board and the
31 student governing body shall ensure that student fees for technology
32 are not duplicative.

33 **Sec. 37.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each
34 amended to read as follows:

35 (1) Tuition fees shall be established under the provisions of this
36 chapter.

1 (2) Beginning in the 2011-12 academic year, reductions or increases
2 in full-time tuition fees shall be as provided in the omnibus
3 appropriations act for resident undergraduate students at community and
4 technical colleges. The governing boards of the state universities(~~(, regional universities,)~~) and The Evergreen State College; and the state
5 board for community and technical colleges may reduce or increase full-
6 time tuition fees for all students other than resident undergraduates,
7 including nonresident students, summer school students, and students in
8 other self-supporting degree programs. Percentage increases in full-
9 time tuition may exceed the fiscal growth factor. The state board for
10 community and technical colleges may pilot or institute differential
11 tuition models. The board may define scale, scope, and rationale for
12 the models.
13

14 (3)(a) Beginning with the 2011-12 academic year and through the end
15 of the 2014-15 academic year, the governing boards of the state
16 universities(~~(, the regional universities,)~~) and The Evergreen State
17 College may reduce or increase full-time tuition fees for all students,
18 including summer school students and students in other self-supporting
19 degree programs. Percentage increases in full-time tuition fees may
20 exceed the fiscal growth factor. Reductions or increases may be made
21 for all or portions of an institution's programs, campuses, courses, or
22 students.

23 (b) Prior to reducing or increasing tuition for each academic year,
24 the governing boards of the state universities(~~(, the regional~~
25 ~~universities,)~~) and The Evergreen State College shall consult with
26 existing student associations or organizations with student
27 undergraduate and graduate representatives regarding the impacts of
28 potential tuition increases. Governing boards shall be required to
29 provide data regarding the percentage of students receiving financial
30 aid, the sources of aid, and the percentage of total costs of
31 attendance paid for by aid.

32 (c) Prior to reducing or increasing tuition for each academic year,
33 the state board for community and technical college system shall
34 consult with existing student associations or organizations with
35 undergraduate student representation regarding the impacts of potential
36 tuition increases. The state board for community and technical
37 colleges shall provide data regarding the percentage of students

1 receiving financial aid, the sources of aid, and the percentage of
2 total costs of attendance paid for by aid.

3 (4) Beginning with the 2015-16 academic year through the 2018-19
4 academic year, the governing boards of the state universities(~~(~~
5 ~~regional universities,~~) and The Evergreen State College may set
6 tuition for resident undergraduates as follows:

7 (a) If state funding for a college or university falls below the
8 state funding provided in the operating budget for fiscal year 2011,
9 the governing board may increase tuition up to the limits set in (d) of
10 this subsection, reduce enrollments, or both;

11 (b) If state funding for a college or university is at least at the
12 level of state funding provided in the operating budget for fiscal year
13 2011, the governing board may increase tuition up to the limits set in
14 (d) of this subsection and shall continue to at least maintain the
15 actual enrollment levels for fiscal year 2011 or increase enrollments
16 as required in the omnibus appropriations act; (~~and~~)

17 (c) If state funding is increased so that combined with resident
18 undergraduate tuition the sixtieth percentile of the total per-student
19 funding at similar public institutions of higher education in the
20 global challenge states under RCW 28B.15.068 is exceeded, the governing
21 board shall decrease tuition by the amount needed for the total per-
22 student funding to be at the sixtieth percentile under RCW 28B.15.068;
23 and

24 (d) The amount of tuition set by the governing board for an
25 institution under this subsection (4) may not exceed the sixtieth
26 percentile of the resident undergraduate tuition of similar public
27 institutions of higher education in the global challenge states.

28 (5) The tuition fees established under this chapter shall not apply
29 to high school students enrolling in participating institutions of
30 higher education under RCW 28A.600.300 through 28A.600.400.

31 (6) The tuition fees established under this chapter shall not apply
32 to eligible students enrolling in a dropout reengagement program
33 through an interlocal agreement between a school district and a
34 community or technical college under RCW 28A.175.100 through
35 28A.175.110.

36 (7) The tuition fees established under this chapter shall not apply
37 to eligible students enrolling in a community or technical college

1 participating in the pilot program under RCW 28B.50.534 for the purpose
2 of obtaining a high school diploma.

3 (8) Beginning in the 2019-20 academic year, reductions or increases
4 in full-time tuition fees for resident undergraduates at four-year
5 institutions of higher education shall be as provided in the omnibus
6 appropriations act.

7 **Sec. 38.** RCW 28B.15.100 and 2011 1st sp.s. c 11 s 151 are each
8 amended to read as follows:

9 (1) The governing boards of the state universities, (~~the regional~~
10 ~~universities,~~) The Evergreen State College, and the community colleges
11 shall charge to and collect from each of the students registering at
12 the particular institution for any quarter or semester such tuition
13 fees and services and activities fees, and other fees as such board
14 shall in its discretion determine. For the governing boards of the
15 state universities(~~, the regional universities,~~) and The Evergreen
16 State College, the total of all fees shall be rounded to the nearest
17 whole dollar amount: PROVIDED, That such tuition fees shall be
18 established in accordance with RCW 28B.15.067.

19 (2) Part-time students shall be charged tuition and services and
20 activities fees proportionate to full-time student rates established
21 for residents and nonresidents: PROVIDED, That except for students
22 registered at community colleges, students registered for fewer than
23 two credit hours shall be charged tuition and services and activities
24 fees at the rate established for two credit hours: PROVIDED FURTHER,
25 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
26 or Oregon who are enrolled in community college district number twenty
27 for six or fewer credits during any quarter or semester may be exempted
28 from payment of all or a portion of the nonresident tuition fees
29 differential upon a declaration by the office of student financial
30 assistance that it finds Washington residents from the community
31 college district are afforded substantially equivalent treatment by
32 such other states.

33 (3) Full-time students registered for more than eighteen credit
34 hours shall be charged an additional operating fee for each credit hour
35 in excess of eighteen hours at the applicable established per credit
36 hour tuition fee rate for part-time students: PROVIDED, That, subject
37 to the limitations of RCW 28B.15.910, the governing boards of the state

1 universities and the community colleges may exempt all or a portion of
2 the additional charge, for students who are registered exclusively in
3 first professional programs in medicine, dental medicine, veterinary
4 medicine, doctor of pharmacy, or law, or who are registered exclusively
5 in required courses in vocational preparatory programs.

6 **Sec. 39.** RCW 28B.15.101 and 2011 1st sp.s. c 10 s 5 are each
7 amended to read as follows:

8 (1) To ensure institutional quality, promote access, and advance
9 the public mission of the state universities(~~(, the regional~~
10 ~~universities,)~~) and The Evergreen State College, the authority to
11 increase or decrease tuition rates shall be considered within the
12 context of performance-based measures and goals for each state
13 university(~~(, regional university,)~~) and The Evergreen State College.
14 By September 1, 2011, and September 1st every two years thereafter, the
15 state universities(~~(, the regional universities,)~~) and The Evergreen
16 State College shall each negotiate an institutional performance plan
17 with the office of financial management that includes expected outcomes
18 that must be achieved by each institution in the subsequent biennium.

19 (2) At a minimum, an individual institutional performance plan must
20 include but is not limited to the following expected outcomes:

21 (a) Time and credits to degree;

22 (b) Retention and success of students from low-income, diverse, or
23 underrepresented communities;

24 (c) Baccalaureate degree production for resident students; and

25 (d) Degree production in high-employer demand programs of study and
26 critical state need areas.

27 **Sec. 40.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to
28 read as follows:

29 Subject to the limitations of RCW 28B.15.910, the governing boards
30 of the state universities(~~(, the regional universities,)~~) and The
31 Evergreen State College shall exempt the following students from the
32 payment of all tuition fees and services and activities fees:

33 (1) Children of any law enforcement officer as defined in chapter
34 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or
35 Washington state patrol officer who lost his or her life or became
36 totally disabled in the line of duty while employed by any public law

1 enforcement agency or full time or volunteer fire department in this
2 state: PROVIDED, That such persons may receive the exemption only if
3 they begin their course of study at a state-supported college or
4 university within ten years of their graduation from high school; and

5 (2) Surviving spouses of any law enforcement officer as defined in
6 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
7 RCW, or Washington state patrol officer who lost his or her life or
8 became totally disabled in the line of duty while employed by any
9 public law enforcement agency or full time or volunteer fire department
10 in this state.

11 (3) The governing boards of the state universities(~~(, the regional~~
12 ~~universities,)~~) and The Evergreen State College shall report to the
13 higher education coordinating board on the annual cost of tuition fees
14 and services and activities fees waived for surviving spouses and
15 children under this section. The higher education coordinating board
16 shall consolidate the reports of the waived fees and annually report to
17 the appropriate fiscal and policy committees of the legislature.

18 **Sec. 41.** RCW 28B.15.540 and 1992 c 231 s 16 are each amended to
19 read as follows:

20 Consistent with the regulations and procedures established by the
21 governing boards of the state universities(~~(, the regional~~
22 ~~universities,)~~) and The Evergreen State College and the state board for
23 community and technical colleges, each institution may for Washington
24 residents who are sixty years of age or older:

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

28 (2) Waive, in whole or in part, the tuition and services and
29 activities fees for students who qualify under this section, but charge
30 a nominal fee not to exceed five dollars per quarter, or semester, as
31 the case may be, for such students who are enrolled on an audit basis:
32 PROVIDED, That residents enrolling with fee exemptions under this
33 section shall register for not more than two quarter or semester
34 courses at one time on a space available basis, and no new course
35 sections shall be created as a direct result of such registration:
36 PROVIDED FURTHER, That such waivers shall not be available to students
37 who plan to use the course credits gained thereby for increasing

1 credentials or salary schedule increases: PROVIDED FURTHER, That
2 enrollment information concerning fee exemptions awarded under this
3 section shall be maintained separately from other enrollment
4 information but shall not be included in official enrollment reports:
5 PROVIDED, That persons who enroll pursuant to provisions of this
6 section shall not be considered for any purpose in determining student-
7 teacher ratio, nor for any purpose relating to enrollment totals, nor
8 any other statistic which would affect budgetary determinations.
9 Persons enrolling under the provisions of this section shall have, in
10 equal with all other students, access to course counseling services and
11 shall be subject to all course prerequisite requirements.

12 **Sec. 42.** RCW 28B.15.543 and 2011 1st sp.s. c 11 s 152 are each
13 amended to read as follows:

14 (1) Subject to the limitations of RCW 28B.15.910, the governing
15 boards of the state universities, (~~the regional universities,~~) The
16 Evergreen State College, and the community colleges shall waive tuition
17 and service and activities fees for students named by the office of
18 student financial assistance on or before June 30, 1994, as recipients
19 of the Washington scholars award under RCW 28A.600.100 through
20 28A.600.150. The waivers shall be used only for undergraduate studies.
21 To qualify for the waiver, recipients shall enter the college or
22 university within three years of high school graduation and maintain a
23 minimum grade point average at the college or university equivalent to
24 3.30. Students shall be eligible to receive a maximum of twelve
25 quarters or eight semesters of waivers and may transfer among state-
26 supported institutions of higher education during that period and
27 continue to have the tuition and services and activities fees waived by
28 the state-supported institution of higher education that the student
29 attends. Should the student's cumulative grade point average fall
30 below 3.30 during the first three quarters or two semesters, that
31 student may petition the office of student financial assistance which
32 shall have the authority to establish a probationary period until such
33 time as the student's grade point average meets required standards.

34 (2) Students named by the office of student financial assistance
35 after June 30, 1994, as recipients of the Washington scholars award
36 under RCW 28A.600.100 through 28A.600.150 shall be eligible to receive

1 a grant for undergraduate coursework as authorized under RCW
2 28B.76.660.

3 **Sec. 43.** RCW 28B.15.545 and 2004 c 275 s 50 are each amended to
4 read as follows:

5 (1) Subject to the limitations of RCW 28B.15.910, the governing
6 boards of the state universities, (~~the regional universities,~~) The
7 Evergreen State College, and the community colleges shall waive tuition
8 and services and activities fees for a maximum of two years for those
9 recipients of the Washington award for vocational excellence
10 established under RCW 28C.04.520 through 28C.04.540 who received their
11 awards before June 30, 1994. Each recipient shall not receive a
12 waiver for more than six quarters or four semesters. To qualify for
13 the waiver, recipients shall enter the college or university within
14 three years of receiving the award. A minimum grade point average at
15 the college or university equivalent to 3.00, or an above-average
16 rating at a technical college, shall be required in the first year to
17 qualify for the second-year waiver. The tuition waiver shall be
18 granted for undergraduate studies only.

19 (2) Students named by the workforce training and education
20 coordinating board after June 30, 1994, as recipients of the Washington
21 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
22 shall be eligible to receive a grant for undergraduate coursework as
23 authorized under RCW 28B.76.670.

24 **Sec. 44.** RCW 28B.15.556 and 1993 sp.s. c 18 s 21 are each amended
25 to read as follows:

26 Subject to the limitations of RCW 28B.15.910, the governing boards
27 of the state universities(~~, the regional universities,~~) and The
28 Evergreen State College may waive all or a portion of the tuition(~~)~~
29 and services and activities fees for undergraduate or graduate students
30 of foreign nations subject to the following limitations:

31 (1) No more than the equivalent of one hundred waivers may be
32 awarded to undergraduate or graduate students of foreign nations at
33 (~~each of the two state universities~~) the University of Washington and
34 Washington State University;

35 (2) No more than the equivalent of twenty waivers may be awarded to
36 undergraduate or graduate students of foreign nations at (~~each of the~~

1 regional—universities)) Central Washington University, Eastern
2 Washington University, Western Washington University, and The Evergreen
3 State College;

4 (3) Priority in the awarding of waivers shall be given to students
5 on academic exchanges or academic special programs sponsored by
6 recognized international educational organizations; and

7 (4) An undergraduate or graduate student of a foreign nation
8 receiving a waiver under this section is not eligible for any other
9 waiver.

10 The waiver programs under this section, to the greatest extent
11 possible, shall promote reciprocal placements and waivers in foreign
12 nations for Washington residents. The number of waivers awarded by
13 each institution shall not exceed the number of that institution's own
14 students enrolled in approved study programs abroad during the same
15 period.

16 **Sec. 45.** RCW 28B.15.558 and 2007 c 461 s 1 are each amended to
17 read as follows:

18 (1) The governing boards of the state universities, (~~the regional~~
19 ~~universities,~~) The Evergreen State College, and the community colleges
20 may waive all or a portion of the tuition and services and activities
21 fees for state employees as defined under subsection (2) of this
22 section and teachers and other certificated instructional staff under
23 subsection (3) of this section. The enrollment of these persons is
24 pursuant to the following conditions:

25 (a) Such persons shall register for and be enrolled in courses on
26 a space available basis and no new course sections shall be created as
27 a result of the registration;

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

33 (c) Persons registering on a space available basis shall be charged
34 a registration fee of not less than five dollars.

35 (2) For the purposes of this section, "state employees" means
36 persons employed half-time or more in one or more of the following
37 employee classifications:

1 (a) Permanent employees in classified service under chapter 41.06
2 RCW;

3 (b) Permanent employees governed by chapter 41.56 RCW pursuant to
4 the exercise of the option under RCW 41.56.201;

5 (c) Permanent classified employees and exempt paraprofessional
6 employees of technical colleges; and

7 (d) Faculty, counselors, librarians, and exempt professional and
8 administrative employees at institutions of higher education as defined
9 in RCW 28B.10.016.

10 (3) The waivers available to state employees under this section
11 shall also be available to teachers and other certificated
12 instructional staff employed at public common and vocational schools,
13 holding or seeking a valid endorsement and assignment in a state-
14 identified shortage area.

15 (4) In awarding waivers, an institution of higher education may
16 award waivers to eligible persons employed by the institution before
17 considering waivers for eligible persons who are not employed by the
18 institution.

19 (5) If an institution of higher education exercises the authority
20 granted under this section, it shall include all eligible state
21 employees in the pool of persons eligible to participate in the
22 program.

23 (6) In establishing eligibility to receive waivers, institutions of
24 higher education may not discriminate between full-time employees and
25 employees who are employed half-time or more.

26 **Sec. 46.** RCW 28B.15.600 and 2004 c 161 s 2 are each amended to
27 read as follows:

28 (1) The governing boards of the state universities(~~(, the regional~~
29 ~~universities,~~)) and The Evergreen State College may refund or cancel in
30 full the tuition and services and activities fees if the student
31 withdraws from a university or college course or program prior to the
32 sixth day of instruction of the quarter or semester for which the fees
33 have been paid or are due. If the student withdraws on or after the
34 sixth day of instruction, the governing boards may refund or cancel up
35 to one-half of the fees, provided such withdrawal occurs within the
36 first thirty calendar days following the beginning of instruction.
37 However, if a different policy is required by federal law in order for

1 the institution of higher education to maintain eligibility for federal
2 funding of programs, the governing board may adopt a refund policy that
3 meets the minimum requirements of the federal law, and the policy may
4 treat all students attending the institution in the same manner.
5 Additionally, if federal law provides that students who receive federal
6 financial aid must return a larger amount to the federal government
7 than that refunded by the institution, the governing board may adopt a
8 refund policy that uses the formula used to calculate the amount
9 returned to the federal government, and the policy may treat all
10 students attending the institution in the same manner.

11 (2) The governing boards of the respective universities and college
12 may adopt rules for the refund of tuition and fees for courses or
13 programs that begin after the start of the regular quarter or semester.

14 (3) The governing boards may extend the refund or cancellation
15 period for students who withdraw for medical reasons, shall adopt
16 policies that comply with RCW 28B.10.270 for students who are called
17 into the military service of the United States, and may refund other
18 fees pursuant to such rules as they may prescribe.

19 **Sec. 47.** RCW 28B.15.615 and 1996 c 142 s 3 are each amended to
20 read as follows:

21 Subject to the limitations of RCW 28B.15.910, the governing boards
22 of the state universities (~~(and the regional universities)~~) may exempt
23 the following students from paying all or a portion of the resident
24 operating fee and the technology fee: Students granted a graduate
25 service appointment, designated as such by the institution, involving
26 not less than twenty hours of work per week. The exemption shall be
27 for the term of the appointment.

28 **Sec. 48.** RCW 28B.15.621 and 2009 c 316 s 1 are each amended to
29 read as follows:

30 (1) The legislature finds that active military and naval veterans,
31 reserve military and naval veterans, and national guard members called
32 to active duty have served their country and have risked their lives to
33 defend the lives of all Americans and the freedoms that define and
34 distinguish our nation. The legislature intends to honor active
35 military and naval veterans, reserve military and naval veterans, and

1 national guard members who have served on active military or naval duty
2 for the public service they have provided to this country.

3 (2) Subject to the limitations in RCW 28B.15.910, the governing
4 boards of the state universities, (~~(the regional universities,)~~) The
5 Evergreen State College, and the community colleges, may waive all or
6 a portion of tuition and fees for an eligible veteran or national guard
7 member.

8 (3) The governing boards of the state universities, (~~(the regional~~
9 ~~universities,)~~) The Evergreen State College, and the community
10 colleges, may waive all or a portion of tuition and fees for a military
11 or naval veteran who is a Washington domiciliary, but who did not serve
12 on foreign soil or in international waters or in another location in
13 support of those serving on foreign soil or in international waters and
14 who does not qualify as an eligible veteran or national guard member
15 under subsection (8) of this section. However, there shall be no state
16 general fund support for waivers granted under this subsection.

17 (4) Subject to the conditions in subsection (5) of this section and
18 the limitations in RCW 28B.15.910, the governing boards of the state
19 universities, (~~(the regional universities,)~~) The Evergreen State
20 College, and the community colleges, shall waive all tuition and fees
21 for the following persons:

22 (a) A child and the spouse or the domestic partner or surviving
23 spouse or surviving domestic partner of an eligible veteran or national
24 guard member who became totally disabled as a result of serving in
25 active federal military or naval service, or who is determined by the
26 federal government to be a prisoner of war or missing in action; and

27 (b) A child and the surviving spouse or surviving domestic partner
28 of an eligible veteran or national guard member who lost his or her
29 life as a result of serving in active federal military or naval
30 service.

31 (5) The conditions in this subsection (5) apply to waivers under
32 subsection (4) of this section.

33 (a) A child must be a Washington domiciliary between the age of
34 seventeen and twenty-six to be eligible for the tuition waiver. A
35 child's marital status does not affect eligibility.

36 (b)(i) A surviving spouse or surviving domestic partner must be a
37 Washington domiciliary.

1 (ii) Except as provided in (b)(iii) of this subsection, a surviving
2 spouse or surviving domestic partner has ten years from the date of the
3 death, total disability, or federal determination of prisoner of war or
4 missing in action status of the eligible veteran or national guard
5 member to receive benefits under the waiver. Upon remarriage or
6 registration in a subsequent domestic partnership, the surviving spouse
7 or surviving domestic partner is ineligible for the waiver of all
8 tuition and fees.

9 (iii) If a death results from total disability, the surviving
10 spouse has ten years from the date of death in which to receive
11 benefits under the waiver.

12 (c) Each recipient's continued participation is subject to the
13 school's satisfactory progress policy.

14 (d) Tuition waivers for graduate students are not required for
15 those who qualify under subsection (4) of this section but are
16 encouraged.

17 (e) Recipients who receive a waiver under subsection (4) of this
18 section may attend full-time or part-time. Total credits earned using
19 the waiver may not exceed two hundred quarter credits, or the
20 equivalent of semester credits.

21 (6) Required waivers of all tuition and fees under subsection (4)
22 of this section shall not affect permissive waivers of tuition and fees
23 under subsection (3) of this section.

24 (7) Private vocational schools and private higher education
25 institutions are encouraged to provide waivers consistent with the
26 terms in subsections (2) through (5) of this section.

27 (8) The definitions in this subsection apply throughout this
28 section.

29 (a) "Child" means a biological child, adopted child, or stepchild.

30 (b) "Eligible veteran or national guard member" means a Washington
31 domiciliary who was an active or reserve member of the United States
32 military or naval forces, or a national guard member called to active
33 duty, who served in active federal service, under either Title 10 or
34 Title 32 of the United States Code, in a war or conflict fought on
35 foreign soil or in international waters or in another location in
36 support of those serving on foreign soil or in international waters,
37 and if discharged from service, has received an honorable discharge.

1 (c) "Totally disabled" means a person who has been determined to be
2 one hundred percent disabled by the federal department of veterans
3 affairs.

4 (d) "Washington domiciliary" means a person whose true, fixed, and
5 permanent house and place of habitation is the state of Washington.
6 "Washington domiciliary" includes a person who is residing in rental
7 housing or residing in base housing. In ascertaining whether a child
8 or surviving spouse or surviving domestic partner is domiciled in the
9 state of Washington, public institutions of higher education shall, to
10 the fullest extent possible, rely upon the standards provided in RCW
11 28B.15.013.

12 (9) As used in subsection (4) of this section, "fees" includes all
13 assessments for costs incurred as a condition to a student's full
14 participation in coursework and related activities at an institution of
15 higher education.

16 (10) The governing boards of the state universities, (~~the regional~~
17 ~~universities,~~) The Evergreen State College, and the community colleges
18 shall report to the higher education committees of the legislature by
19 November 15, 2010, and every two years thereafter, regarding the status
20 of implementation of the waivers under subsection (4) of this section.
21 The reports shall include the following data and information:

- 22 (a) Total number of waivers;
- 23 (b) Total amount of tuition waived;
- 24 (c) Total amount of fees waived;
- 25 (d) Average amount of tuition and fees waived per recipient;
- 26 (e) Recipient demographic data that is disaggregated by distinct
27 ethnic categories within racial subgroups; and
- 28 (f) Recipient income level, to the extent possible.

29 **Sec. 49.** RCW 28B.15.725 and 1997 c 433 s 4 are each amended to
30 read as follows:

31 (1) The governing boards of the state universities(~~, the regional~~
32 ~~universities,~~) and The Evergreen State College may establish home
33 tuition programs by negotiating home tuition agreements with an out-of-
34 state institution or consortium of institutions of higher education if
35 no loss of tuition and fee revenue occurs as a result of the
36 agreements.

1 (2) Home tuition agreements allow students at Washington state
2 institutions of higher education to attend an out-of-state institution
3 of higher education as part of a student exchange. Students
4 participating in a home tuition program shall pay an amount equal to
5 their regular, full-time tuition and required fees to either the
6 Washington institution of higher education or the out-of-state
7 institution of higher education depending upon the provisions of the
8 particular agreement. Payment of course fees in excess of generally
9 applicable tuition and required fees must be addressed in each home
10 tuition agreement to ensure that the instructional programs of the
11 Washington institution of higher education do not incur additional
12 uncompensated costs as a result of the exchange.

13 (3) Student participation in a home tuition agreement authorized by
14 this section is limited to one academic year.

15 (4) Students enrolled under a home tuition agreement shall reside
16 in Washington state for the duration of the program, may not use the
17 year of enrollment under this program to establish Washington state
18 residency, and are not eligible for state financial aid.

19 **Sec. 50.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
20 to read as follows:

21 Subject to the limitations of RCW 28B.15.910, the state board for
22 community and technical colleges and the governing boards of the state
23 universities, (~~the regional universities,~~) the community colleges,
24 and The Evergreen State College may waive all or a portion of the
25 nonresident tuition fees differential for residents of Oregon, upon
26 completion of and to the extent permitted by an agreement between the
27 higher education coordinating board and appropriate officials and
28 agencies in Oregon granting similar waivers for residents of the state
29 of Washington.

30 **Sec. 51.** RCW 28B.15.740 and 1997 c 207 s 1 are each amended to
31 read as follows:

32 (1) Subject to the limitations of RCW 28B.15.910, the governing
33 boards of the state universities, (~~the regional universities,~~) The
34 Evergreen State College, and the community colleges may waive all or a
35 portion of tuition and fees for needy students who are eligible for
36 resident tuition and fee rates pursuant to RCW 28B.15.012 and

1 28B.15.013. Subject to the limitations of RCW 28B.15.910, the
2 governing boards of the state universities, (~~the regional~~
3 ~~universities,~~) The Evergreen State College, and the community colleges
4 may waive all or a portion of tuition and fees for other students at
5 the discretion of the governing boards, except on the basis of
6 participation in intercollegiate athletic programs, not to exceed
7 three-fourths of one percent of gross authorized operating fees revenue
8 under RCW 28B.15.910 for the community colleges considered as a whole
9 and not to exceed two percent of gross authorized operating fees
10 revenue for the other institutions of higher education.

11 (2) In addition to the tuition and fee waivers provided in
12 subsection (1) of this section and subject to the provisions of RCW
13 28B.15.455, 28B.15.460, and 28B.15.910, a total dollar amount of
14 tuition and fee waivers awarded by any state university(~~(, regional~~
15 ~~university,~~) or state college under this chapter, not to exceed one
16 percent, as calculated in subsection (1) of this section, may be used
17 for the purpose of achieving or maintaining gender equity in
18 intercollegiate athletic programs. At any institution that has an
19 underrepresented gender class in intercollegiate athletics, any such
20 waivers shall be awarded:

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

26 (b) Second, (i) to nonmembers of the underrepresented gender class
27 who participate in intercollegiate athletics, where such waivers result
28 in saved or displaced money that can be used for athletic programs for
29 members of the underrepresented gender class. Such saved or displaced
30 money shall be used for programs for the underrepresented gender class;
31 or (ii) to members of the underrepresented gender class who participate
32 in intercollegiate athletics, where such waivers do not result in any
33 saved or displaced money that can be used for athletic programs for
34 members of the underrepresented gender class.

35 **Sec. 52.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
36 to read as follows:

37 Subject to the limitations of RCW 28B.15.910, the governing boards

1 of the state universities(~~(, the regional universities,)~~) and The
2 Evergreen State College and the state board for community and technical
3 colleges may waive all or a portion of the nonresident tuition fees
4 differential for residents of Idaho, upon completion of and to the
5 extent permitted by an agreement between the higher education
6 coordinating board and appropriate officials and agencies in Idaho
7 granting similar waivers for residents of the state of Washington.

8 **Sec. 53.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
9 to read as follows:

10 Subject to the limitations of RCW 28B.15.910, the governing boards
11 of the state universities(~~(, the regional universities,)~~) and The
12 Evergreen State College and the state board for community and technical
13 colleges may waive all or a portion of the nonresident tuition fees
14 differential for residents of the Canadian province of British
15 Columbia, upon completion of and to the extent permitted by an
16 agreement between the higher education coordinating board and
17 appropriate officials and agencies in the Canadian province of British
18 Columbia providing for enrollment opportunities for residents of the
19 state of Washington without payment of tuition or fees in excess of
20 those charged to residents of British Columbia.

21 **Sec. 54.** RCW 28B.15.794 and 1991 c 228 s 3 are each amended to
22 read as follows:

23 The governing board of each state university, (~~regional~~
24 ~~university,~~) state college, and community college shall ensure that
25 the principles in (~~section 1 of this act~~) RCW 28B.15.792 are
26 implemented at its institution of higher education.

27 **Sec. 55.** RCW 28B.15.820 and 2009 c 215 s 9 are each amended to
28 read as follows:

29 (1) Each institution of higher education, including technical
30 colleges, shall deposit a minimum of three and one-half percent of
31 revenues collected from tuition and services and activities fees in an
32 institutional financial aid fund that is hereby created and which shall
33 be held locally. Moneys in the fund shall be used only for the
34 following purposes: (a) To make guaranteed long-term loans to eligible
35 students as provided in subsections (3) through (8) of this section;

1 (b) to make short-term loans as provided in subsection (9) of this
2 section; (c) to provide financial aid to needy students as provided in
3 subsection (10) of this section; or (d) to provide financial aid to
4 students as provided in subsection (11) of this section.

5 (2) An "eligible student" for the purposes of subsections (3)
6 through (8) and (10) of this section is a student registered for at
7 least three credit hours or the equivalent, who is eligible for
8 resident tuition and fee rates as defined in RCW 28B.15.012 and
9 28B.15.013, and who is a "needy student" as defined in RCW 28B.92.030.

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

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

27 (5) Each institution is responsible for collection of guaranteed
28 long-term loans made under this section and shall exercise due
29 diligence in such collection, maintaining all necessary records to
30 insure that maximum repayments are made. Institutions shall cooperate
31 with other lenders and the Washington student loan guaranty
32 association, or its successor agency, in the coordinated collection of
33 guaranteed loans, and shall assure that the guarantability of the loans
34 is not violated. Collection and servicing of guaranteed long-term
35 loans under this section shall be performed by entities approved for
36 such servicing by the Washington student loan guaranty association or
37 its successor agency: PROVIDED, That institutions be permitted to
38 perform such servicing if specifically recognized to do so by the

1 Washington student loan guaranty association or its successor agency.
2 Collection and servicing of guaranteed long-term loans made by
3 community colleges under subsection (1) of this section shall be
4 coordinated by the state board for community and technical colleges and
5 shall be conducted under procedures adopted by the state board.

6 (6) Receipts from payment of interest or principal or any other
7 subsidies to which institutions as lenders are entitled, that are paid
8 by or on behalf of borrowers of funds under subsections (3) through (8)
9 of this section, shall be deposited in each institution's financial aid
10 fund and shall be used to cover the costs of making the guaranteed
11 long-term loans under this section and maintaining necessary records
12 and making collections under subsection (5) of this section: PROVIDED,
13 That such costs shall not exceed five percent of aggregate outstanding
14 loan principal. Institutions shall maintain accurate records of such
15 costs, and all receipts beyond those necessary to pay such costs, shall
16 be deposited in the institution's financial aid fund.

17 (7) The governing boards of the state universities(~~(, the regional~~
18 ~~universities,)~~) and The Evergreen State College, and the state board
19 for community and technical colleges, on behalf of the community
20 colleges and technical colleges, shall each adopt necessary rules and
21 regulations to implement this section.

22 (8) First priority for any guaranteed long-term loans made under
23 this section shall be directed toward students who would not normally
24 have access to educational loans from private financial institutions in
25 Washington state, and maximum use shall be made of secondary markets in
26 the support of loan consolidation.

27 (9) Short-term loans, not to exceed one year, may be made from the
28 institutional financial aid fund to students enrolled in the
29 institution. No such loan shall be made to any student who is known by
30 the institution to be in default or delinquent in the payment of any
31 outstanding student loan. A short-term loan may be made only if the
32 institution has ample evidence that the student has the capability of
33 repaying the loan within the time frame specified by the institution
34 for repayment.

35 (10) Any moneys deposited in the institutional financial aid fund
36 that are not used in making long-term or short-term loans may be used
37 by the institution for locally administered financial aid programs for
38 needy students, such as need-based institutional employment programs or

1 need-based tuition and fee scholarship or grant programs. These funds
2 shall be used in addition to and not to replace institutional funds
3 that would otherwise support these locally administered financial aid
4 programs. First priority in the use of these funds shall be given to
5 needy students who have accumulated excessive educational loan burdens.
6 An excessive educational loan burden is a burden that will be difficult
7 to repay given employment opportunities and average starting salaries
8 in the student's chosen fields of study. Second priority in the use of
9 these funds shall be given to needy single parents, to assist these
10 students with their educational expenses, including expenses associated
11 with child care and transportation.

12 (11) Any moneys deposited in the institutional financial aid fund
13 may be used by the institution for a locally administered financial aid
14 program for high school students enrolled in dual credit programs. If
15 institutions use funds in this manner, the governing boards of the
16 state universities, (~~(the regional universities,)~~) The Evergreen State
17 College, and the state board for community and technical colleges shall
18 each adopt necessary rules to implement this subsection. Moneys from
19 this fund may be used for all educational expenses related to a
20 student's participation in a dual credit program including but not
21 limited to tuition, fees, course materials, and transportation.

22 **Sec. 56.** RCW 28B.15.910 and 2008 c 188 s 3 are each amended to
23 read as follows:

24 (1) For the purpose of providing state general fund support to
25 public institutions of higher education, except for revenue waived
26 under programs listed in subsections (3) and (4) of this section, and
27 unless otherwise expressly provided in the omnibus state appropriations
28 act, the total amount of operating fees revenue waived, exempted, or
29 reduced by a state university, (~~(a regional university,)~~) The Evergreen
30 State College, or the community colleges as a whole, shall not exceed
31 the percentage of total gross authorized operating fees revenue in this
32 subsection. As used in this section, "gross authorized operating fees
33 revenue" means the estimated gross operating fees revenue as estimated
34 under RCW 82.33.020 or as revised by the office of financial
35 management, before granting any waivers. This limitation applies to
36 all tuition waiver programs established before or after July 1, 1992.

37 (a) University of Washington 21 percent

- 1 (b) Washington State University 20 percent
- 2 (c) Eastern Washington University 11 percent
- 3 (d) Central Washington University 10 percent
- 4 (e) Western Washington University 10 percent
- 5 (f) The Evergreen State College 10 percent
- 6 (g) Community colleges as a whole 35 percent

7 (2) The limitations in subsection (1) of this section apply to
 8 waivers, exemptions, or reductions in operating fees contained in the
 9 following:

- 10 (a) RCW 28B.15.014;
- 11 (b) RCW 28B.15.100;
- 12 (c) RCW 28B.15.225;
- 13 (d) RCW 28B.15.380;
- 14 (e) RCW 28B.15.520;
- 15 (f) RCW 28B.15.526;
- 16 (g) RCW 28B.15.527;
- 17 (h) RCW 28B.15.543;
- 18 (i) RCW 28B.15.545;
- 19 (j) RCW 28B.15.555;
- 20 (k) RCW 28B.15.556;
- 21 (l) RCW 28B.15.615;
- 22 (m) RCW 28B.15.621 (2) and (4);
- 23 (n) RCW 28B.15.730;
- 24 (o) RCW 28B.15.740;
- 25 (p) RCW 28B.15.750;
- 26 (q) RCW 28B.15.756;
- 27 (r) RCW 28B.50.259; and
- 28 (s) RCW 28B.70.050.

29 (3) The limitations in subsection (1) of this section do not apply
 30 to waivers, exemptions, or reductions in services and activities fees
 31 contained in the following:

- 32 (a) RCW 28B.15.522;
- 33 (b) RCW 28B.15.540;
- 34 (c) RCW 28B.15.558; and
- 35 (d) RCW 28B.15.621(3).

36 (4) The total amount of operating fees revenue waived, exempted, or
 37 reduced by institutions of higher education participating in the
 38 western interstate commission for higher education western

1 undergraduate exchange program under RCW 28B.15.544 shall not exceed
2 the percentage of total gross authorized operating fees revenue in this
3 subsection.

- 4 (a) Washington State University 1 percent
- 5 (b) Eastern Washington University 3 percent
- 6 (c) Central Washington University 3 percent

7 (5) The institutions of higher education will participate in
8 outreach activities to increase the number of veterans who receive
9 tuition waivers. Colleges and universities shall revise the
10 application for admissions so that all applicants shall have the
11 opportunity to advise the institution that they are veterans who need
12 assistance. If a person indicates on the application for admissions
13 that the person is a veteran who is in need of assistance, then the
14 institution of higher education shall ask the person whether they have
15 any funds disbursed in accordance with the Montgomery GI Bill available
16 to them. Each institution shall encourage veterans to utilize funds
17 available to them in accordance with the Montgomery GI Bill prior to
18 providing the veteran a tuition waiver.

19 **Sec. 57.** RCW 28B.15.915 and 2000 c 152 s 1 are each amended to
20 read as follows:

21 In addition to waivers granted under the authority of RCW
22 28B.15.910, the governing boards of the state universities, (~~the~~
23 ~~regional universities,~~) The Evergreen State College, and the community
24 colleges, subject to state board policy, may waive all or a portion of
25 the operating fees for any student. There shall be no state general
26 fund support for waivers granted under this section.

27 By January 31st of each odd-numbered year, the institutions of
28 higher education shall prepare a report of the costs and benefits of
29 waivers granted under chapter 152, Laws of 2000 and shall transmit
30 copies of their report to the appropriate policy and fiscal committees
31 of the legislature.

32 **Sec. 58.** RCW 28B.65.010 and 1983 1st ex.s. c 72 s 2 are each
33 amended to read as follows:

34 The legislature finds that:

- 35 (1) A coordinated state policy is needed to stimulate the education

1 and training of individuals in high-technology fields, in order to
2 improve productivity, strengthen the state's competitive position, and
3 reindustrialize declining areas;

4 (2) The Washington high-technology education and training program
5 will give persons from all backgrounds opportunities to pursue training
6 and education programs leading to baccalaureate and graduate degrees
7 consistent with present and future needs of high-technology industries;

8 (3) Incentives to stimulate increased collaboration between
9 community colleges(~~(, regional universities,)~~) and the state
10 universities and private-sector industrial, commercial, and labor
11 interests are essential to the development of a pool of skilled high-
12 technology workers; and

13 (4) Investment in education is the most feasible method for state
14 assistance to the high-technology industry.

15 **Sec. 59.** RCW 28B.65.030 and 1983 1st ex.s. c 72 s 4 are each
16 amended to read as follows:

17 A Washington state high-technology education and training program
18 is hereby established. The program shall be designed to:

19 (1) Develop the competence needed to make Washington state a leader
20 in high-technology fields, to increase the productivity of state
21 industries, and to improve the state's competitiveness in regional,
22 national, and international trade;

23 (2) Develop degree programs to enable students to be productive in
24 new and emerging high-technology fields by using the resources of the
25 state's two-year community colleges, (~~(regional universities,)~~) the
26 University of Washington, Washington State University, and The
27 Evergreen State College; and

28 (3) Provide industries in the state with a highly-skilled workforce
29 capable of producing, operating, and servicing the advancing technology
30 needed to modernize the state's industries and to revitalize the
31 state's economy.

32 **Sec. 60.** RCW 28B.76.310 and 2011 1st sp.s. c 11 s 105 are each
33 amended to read as follows:

34 (1) The board, in consultation with the house of representatives
35 and senate committees responsible for higher education, the respective
36 fiscal committees of the house of representatives and senate, the

1 office of financial management, the state board for community and
2 technical colleges, and the state institutions of higher education,
3 shall develop standardized methods and protocols for measuring the
4 undergraduate and graduate educational costs for the state
5 universities(~~(, regional universities,)~~) and community colleges,
6 including but not limited to the costs of instruction, costs to provide
7 degrees in specific fields, and costs for precollege remediation.

8 (2) The institutions of higher education shall participate in the
9 development of cost study methods and shall provide all necessary data
10 in a timely fashion consistent with the protocols developed.

11 **Sec. 61.** RCW 28B.110.020 and 1989 c 341 s 2 are each amended to
12 read as follows:

13 For purposes of this chapter, "institutions of higher education" or
14 "institutions" include the state universities, (~~regional~~
15 ~~universities,~~) The Evergreen State College, and the community
16 colleges.

17 **Sec. 62.** RCW 39.10.420 and 2009 c 75 s 7 are each amended to read
18 as follows:

19 (1) The following public bodies are authorized to use the job order
20 contracting procedure:

21 (a) The department of (~~general administration~~) enterprise
22 services;

23 (b) The University of Washington;

24 (c) Washington State University;

25 (d) Every city with a population greater than seventy thousand and
26 any public authority chartered by such city under RCW 35.21.730 through
27 35.21.755;

28 (e) Every county with a population greater than four hundred fifty
29 thousand;

30 (f) Every port district with total revenues greater than fifteen
31 million dollars per year;

32 (g) Every public utility district with revenues from energy sales
33 greater than twenty-three million dollars per year;

34 (h) Every school district; and

35 (i) The state ferry system.

1 (2)(a) The department of (~~general administration~~) enterprise
2 services may issue job order contract work orders for Washington state
3 parks department projects.

4 (b) The department of (~~general administration~~) enterprise
5 services, the University of Washington, and Washington State University
6 may issue job order contract work orders for (~~the state regional~~
7 ~~universities~~) Central Washington University, Eastern Washington
8 University, Western Washington University, and The Evergreen State
9 College.

10 (3) Public bodies may use a job order contract for public works
11 projects when a determination is made that the use of job order
12 contracts will benefit the public by providing an effective means of
13 reducing the total lead-time and cost for the construction of public
14 works projects for repair and renovation required at public facilities
15 through the use of unit price books and work orders by eliminating
16 time-consuming, costly aspects of the traditional public works process,
17 which require separate contracting actions for each small project.

18 **Sec. 63.** RCW 39.19.020 and 1996 c 69 s 4 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) "Advisory committee" means the advisory committee on minority
23 and women's business enterprises.

24 (2) "Broker" means a person that provides a bona fide service, such
25 as professional, technical, consultant, brokerage, or managerial
26 services and assistance in the procurement of essential personnel,
27 facilities, equipment, materials, or supplies required for performance
28 of a contract.

29 (3) "Director" means the director of the office of minority and
30 women's business enterprises.

31 (4) "Educational institutions" means the state universities, (~~the~~
32 ~~regional universities,~~) The Evergreen State College, and the community
33 colleges.

34 (5) "Goals" means annual overall agency goals, expressed as a
35 percentage of dollar volume, for participation by minority and women-
36 owned and controlled businesses and shall not be construed as a minimum
37 goal for any particular contract or for any particular geographical

1 area. It is the intent of this chapter that such overall agency goals
2 shall be achievable and shall be met on a contract-by-contract or
3 class-of-contract basis.

4 (6) "Goods and/or services" includes professional services and all
5 other goods and services.

6 (7) "Office" means the office of minority and women's business
7 enterprises.

8 (8) "Person" includes one or more individuals, partnerships,
9 associations, organizations, corporations, cooperatives, legal
10 representatives, trustees and receivers, or any group of persons.

11 (9) "Procurement" means the purchase, lease, or rental of any goods
12 or services.

13 (10) "Public works" means all work, construction, highway and ferry
14 construction, alteration, repair, or improvement other than ordinary
15 maintenance, which a state agency or educational institution is
16 authorized or required by law to undertake.

17 (11) "State agency" includes the state of Washington and all
18 agencies, departments, offices, divisions, boards, commissions, and
19 correctional and other types of institutions.

20 **Sec. 64.** RCW 39.35D.020 and 2011 1st sp.s. c 43 s 249 are each
21 amended to read as follows:

22 The definitions in this section apply throughout this chapter
23 unless the context clearly requires otherwise.

24 (1) "Department" means the department of enterprise services.

25 (2) "High-performance public buildings" means high-performance
26 public buildings designed, constructed, and certified to a standard as
27 identified in this chapter.

28 (3) "Institutions of higher education" means the state
29 universities, (~~the regional universities,~~) The Evergreen State
30 College, the community colleges, and the technical colleges.

31 (4) "LEED silver standard" means the United States green building
32 council leadership in energy and environmental design green building
33 rating standard, referred to as silver standard.

34 (5)(a) "Major facility project" means: (i) A construction project
35 larger than five thousand gross square feet of occupied or conditioned
36 space as defined in the Washington state energy code; or (ii) a
37 building renovation project when the cost is greater than fifty percent

1 of the assessed value and the project is larger than five thousand
2 gross square feet of occupied or conditioned space as defined in the
3 Washington state energy code.

4 (b) "Major facility project" does not include: (i) Projects for
5 which the department, public school district, or other applicable
6 agency and the design team determine the LEED silver standard or the
7 Washington sustainable school design protocol to be not practicable; or
8 (ii) transmitter buildings, pumping stations, hospitals, research
9 facilities primarily used for sponsored laboratory experimentation,
10 laboratory research, or laboratory training in research methods, or
11 other similar building types as determined by the department. When the
12 LEED silver standard is determined to be not practicable for a project,
13 then it must be determined if any LEED standard is practicable for the
14 project. If LEED standards or the Washington sustainable school design
15 protocol are not followed for the project, the public school district
16 or public agency shall report these reasons to the department.

17 (6) "Public agency" means every state office, officer, board,
18 commission, committee, bureau, department, and public higher education
19 institution.

20 (7) "Public school district" means a school district eligible to
21 receive state basic education moneys pursuant to RCW 28A.150.250 and
22 28A.150.260.

23 (8) "Washington sustainable school design protocol" means the
24 school design protocol and related information developed by the office
25 of the superintendent of public instruction, in conjunction with school
26 districts and the school facilities advisory board.

27 **Sec. 65.** RCW 39.90.060 and 1977 ex.s. c 169 s 93 are each amended
28 to read as follows:

29 All debts, contracts and obligations heretofore made or incurred by
30 or in favor of the state, state agencies, The Evergreen State College,
31 community colleges, and (~~regional~~and) state universities, and the
32 political subdivisions, municipal corporations and quasi municipal
33 corporations of this state, are hereby declared to be legal and valid
34 and of full force and effect from the date thereof, regardless of the
35 interest rate borne by any such debts, contracts and obligations.

1 **Sec. 66.** RCW 40.04.090 and 1995 c 24 s 4 are each amended to read
2 as follows:

3 The house and senate journals shall be distributed and sold by the
4 chief clerk of the house of representatives and the secretary of the
5 senate as follows:

6 (1) Subject to subsection (5) of this section, sets shall be
7 distributed as follows: One to each requesting official whose office
8 is created by the Constitution, and one to each requesting state
9 department director; two copies to the state library; ten copies to the
10 state law library; two copies to the University of Washington library;
11 one to the King county law library; one to the Washington State
12 University library; one (~~to the library of each of the regional~~
13 ~~universities and~~) copy to the Central Washington University library;
14 one copy to the Eastern Washington University library; one copy to the
15 Western Washington University library; one copy to The Evergreen State
16 College; one each to the law library of any accredited law school in
17 this state; and one to each free public library in the state that
18 requests it.

19 (2) House and senate journals of the preceding regular session
20 during an odd- or even-numbered year, and of any intervening special
21 session, shall be provided for use of legislators and legislative staff
22 in such numbers as directed by the chief clerk of the house of
23 representatives and secretary of the senate.

24 (3) Surplus sets of the house and senate journals shall be sold and
25 delivered by the chief clerk of the house of representatives and the
26 secretary of the senate at a price set by them after consulting with
27 the state printer to determine reasonable costs associated with the
28 production of the journals, and the proceeds therefrom shall be paid to
29 the state treasurer for the general fund.

30 (4) The chief clerk of the house of representatives and the
31 secretary of the senate may exchange copies of the house and senate
32 journals for similar journals of other states, territories, and
33 governments, or for other legal materials, and make such other and
34 further distribution of them as in their judgment seems proper.

35 (5) Periodically the chief clerk of the house of representatives
36 and the secretary of the senate may canvas those entitled to receive
37 copies under this section, and may reduce or eliminate the number of
38 copies distributed to anyone who so concurs.

1 **Sec. 67.** RCW 40.06.040 and 2006 c 199 s 6 are each amended to read
2 as follows:

3 (1) To provide economical public access to state publications, the
4 center may enter into depository contracts with any free public
5 library, The Evergreen State College, (~~regional university,~~) or state
6 university library, or, if needed, the library of any privately
7 incorporated college or university in this state. The requirements for
8 eligibility to contract as a depository library shall be established by
9 the secretary of state upon recommendations of the state librarian.
10 The standards shall include and take into consideration the type of
11 library, available housing and space for the publications, the number
12 and qualifications of personnel, and availability for public use. The
13 center may also contract with public, out-of-state libraries for the
14 exchange of state and other publications on a reciprocal basis. Any
15 state publication to be distributed to the public and the legislature
16 shall be mailed at the lowest available postal rate.

17 (2) The office of the secretary of state through the state
18 librarian shall preserve and make accessible state agency electronic
19 publications deposited with the state library through an electronic
20 repository.

21 **Sec. 68.** RCW 41.40.108 and 1991 c 35 s 107 are each amended to
22 read as follows:

23 (1) All classified employees employed by Washington State
24 University on and after April 24, 1973, and otherwise eligible shall
25 become members of the Washington public employees' retirement system to
26 the exclusion of any other retirement benefit system at the institution
27 unless otherwise provided by law.

28 (2) All classified employees employed by the University of
29 Washington (~~or each of the regional universities~~), Central Washington
30 University, Eastern Washington University, Western Washington
31 University, or The Evergreen State College on and after May 6, 1974,
32 and otherwise eligible shall become members of the Washington public
33 employees' retirement system at the institution unless otherwise
34 provided by law: PROVIDED, That persons who, immediately prior to the
35 date of their hiring as classified employees, have for at least two
36 consecutive years held membership in a retirement plan underwritten by
37 the private insurer of the retirement plan of their respective

1 educational institution may irrevocably elect to continue their
2 membership in the retirement plan notwithstanding the provisions of
3 this chapter, if the election is made within thirty days from the date
4 of their hiring as classified employees. If these persons elect to
5 become members of the public employees' retirement system,
6 contributions by them and their employers shall be required from their
7 first day of employment.

8 **Sec. 69.** RCW 42.52.010 and 2011 c 60 s 28 are each reenacted and
9 amended to read as follows:

10 Unless the context clearly requires otherwise, the definitions in
11 this section apply throughout this chapter.

12 (1) "Agency" means any state board, commission, bureau, committee,
13 department, institution, division, or tribunal in the legislative,
14 executive, or judicial branch of state government. "Agency" includes
15 all elective offices, the state legislature, those institutions of
16 higher education created and supported by the state government, and
17 those courts that are parts of state government.

18 (2) "Assist" means to act, or offer or agree to act, in such a way
19 as to help, aid, advise, furnish information to, or otherwise provide
20 assistance to another person, believing that the action is of help,
21 aid, advice, or assistance to the person and with intent so to assist
22 such person.

23 (3) "Beneficial interest" has the meaning ascribed to it under the
24 Washington case law. However, an ownership interest in a mutual fund
25 or similar investment pooling fund in which the owner has no management
26 powers does not constitute a beneficial interest in the entities in
27 which the fund or pool invests.

28 (4) "Compensation" means anything of economic value, however
29 designated, that is paid, loaned, granted, or transferred, or to be
30 paid, loaned, granted, or transferred for, or in consideration of,
31 personal services to any person.

32 (5) "Confidential information" means (a) specific information,
33 rather than generalized knowledge, that is not available to the general
34 public on request or (b) information made confidential by law.

35 (6) "Contract" or "grant" means an agreement between two or more
36 persons that creates an obligation to do or not to do a particular

1 thing. "Contract" or "grant" includes, but is not limited to, an
2 employment contract, a lease, a license, a purchase agreement, or a
3 sales agreement.

4 (7) "Ethics boards" means the commission on judicial conduct, the
5 legislative ethics board, and the executive ethics board.

6 (8) "Family" has the same meaning as "immediate family" in RCW
7 42.17A.005.

8 (9) "Gift" means anything of economic value for which no
9 consideration is given. "Gift" does not include:

10 (a) Items from family members or friends where it is clear beyond
11 a reasonable doubt that the gift was not made as part of any design to
12 gain or maintain influence in the agency of which the recipient is an
13 officer or employee;

14 (b) Items related to the outside business of the recipient that are
15 customary and not related to the recipient's performance of official
16 duties;

17 (c) Items exchanged among officials and employees or a social event
18 hosted or sponsored by a state officer or state employee for coworkers;

19 (d) Payments by a governmental or nongovernmental entity of
20 reasonable expenses incurred in connection with a speech, presentation,
21 appearance, or trade mission made in an official capacity. As used in
22 this subsection, "reasonable expenses" are limited to travel, lodging,
23 and subsistence expenses incurred the day before through the day after
24 the event;

25 (e) Items a state officer or state employee is authorized by law to
26 accept;

27 (f) Payment of enrollment and course fees and reasonable travel
28 expenses attributable to attending seminars and educational programs
29 sponsored by a bona fide governmental or nonprofit professional,
30 educational, trade, or charitable association or institution. As used
31 in this subsection, "reasonable expenses" are limited to travel,
32 lodging, and subsistence expenses incurred the day before through the
33 day after the event;

34 (g) Items returned by the recipient to the donor within thirty days
35 of receipt or donated to a charitable organization within thirty days
36 of receipt;

37 (h) Campaign contributions reported under chapter 42.17A RCW;

1 (i) Discounts available to an individual as a member of an employee
2 group, occupation, or similar broad-based group; and

3 (j) Awards, prizes, scholarships, or other items provided in
4 recognition of academic or scientific achievement.

5 (10) "Head of agency" means the chief executive officer of an
6 agency. In the case of an agency headed by a commission, board,
7 committee, or other body consisting of more than one natural person,
8 agency head means the person or board authorized to appoint agency
9 employees and regulate their conduct.

10 (11) "Honorarium" means money or thing of value offered to a state
11 officer or state employee for a speech, appearance, article, or similar
12 item or activity in connection with the state officer's or state
13 employee's official role.

14 (12) "Official duty" means those duties within the specific scope
15 of employment of the state officer or state employee as defined by the
16 officer's or employee's agency or by statute or the state Constitution.

17 (13) "Participate" means to participate in state action or a
18 proceeding personally and substantially as a state officer or state
19 employee, through approval, disapproval, decision, recommendation, the
20 rendering of advice, investigation, or otherwise but does not include
21 preparation, consideration, or enactment of legislation or the
22 performance of legislative duties.

23 (14) "Person" means any individual, partnership, association,
24 corporation, firm, institution, or other entity, whether or not
25 operated for profit.

26 (15) "Regulatory agency" means any state board, commission,
27 department, or officer, except those in the legislative or judicial
28 branches, authorized by law to conduct adjudicative proceedings, issue
29 permits or licenses, or to control or affect interests of identified
30 persons.

31 (16) "Responsibility" in connection with a transaction involving
32 the state, means the direct administrative or operating authority,
33 whether intermediate or final, and either exercisable alone or through
34 subordinates, effectively to approve, disapprove, or otherwise direct
35 state action in respect of such transaction.

36 (17) "State action" means any action on the part of an agency,
37 including, but not limited to:

38 (a) A decision, determination, finding, ruling, or order; and

1 (b) A grant, payment, award, license, contract, transaction,
2 sanction, or approval, or the denial thereof, or failure to act with
3 respect to a decision, determination, finding, ruling, or order.

4 (18) "State employee" means an individual who is employed by an
5 agency in any branch of state government. For purposes of this
6 chapter, employees of the superior courts are not state officers or
7 state employees.

8 (19) "State officer" means every person holding a position of
9 public trust in or under an executive, legislative, or judicial office
10 of the state. "State officer" includes judges of the superior court,
11 judges of the court of appeals, justices of the supreme court, members
12 of the legislature together with the secretary of the senate and the
13 chief clerk of the house of representatives, holders of elective
14 offices in the executive branch of state government, chief executive
15 officers of state agencies, members of boards, commissions, or
16 committees with authority over one or more state agencies or
17 institutions, and employees of the state who are engaged in
18 supervisory, policy-making, or policy-enforcing work. For the purposes
19 of this chapter, "state officer" also includes any person exercising or
20 undertaking to exercise the powers or functions of a state officer.

21 (20) "Thing of economic value," in addition to its ordinary
22 meaning, includes:

23 (a) A loan, property interest, interest in a contract or other
24 chose in action, and employment or another arrangement involving a
25 right to compensation;

26 (b) An option, irrespective of the conditions to the exercise of
27 the option; and

28 (c) A promise or undertaking for the present or future delivery or
29 procurement.

30 (21)(a) "Transaction involving the state" means a proceeding,
31 application, submission, request for a ruling or other determination,
32 contract, claim, case, or other similar matter that the state officer,
33 state employee, or former state officer or state employee in question
34 believes, or has reason to believe:

35 (i) Is, or will be, the subject of state action; or

36 (ii) Is one to which the state is or will be a party; or

37 (iii) Is one in which the state has a direct and substantial
38 proprietary interest.

1 (b) "Transaction involving the state" does not include the
2 following: Preparation, consideration, or enactment of legislation,
3 including appropriation of moneys in a budget, or the performance of
4 legislative duties by an officer or employee; or a claim, case,
5 lawsuit, or similar matter if the officer or employee did not
6 participate in the underlying transaction involving the state that is
7 the basis for the claim, case, or lawsuit.

8 (22) "University" includes "state universities" (~~and "regional~~
9 ~~universities"~~) as defined in RCW 28B.10.016 and also includes any
10 research or technology institute affiliated with a university,
11 including without limitation, the Spokane Intercollegiate Research and
12 Technology Institute and the Washington Technology Center.

13 (23) "University research employee" means a state officer or state
14 employee employed by a university, but only to the extent the state
15 officer or state employee is engaged in research, technology transfer,
16 approved consulting activities related to research and technology
17 transfer, or other incidental activities.

18 **Sec. 70.** RCW 43.19.450 and 2011 1st sp.s. c 43 s 222 are each
19 amended to read as follows:

20 The director shall appoint a supervisor of engineering and
21 architecture.

22 A person is not eligible for appointment as supervisor of
23 engineering and architecture unless he or she is licensed to practice
24 the profession of engineering or the profession of architecture in the
25 state of Washington and for the last five years prior to his or her
26 appointment has been licensed to practice the profession of engineering
27 or the profession of architecture.

28 As used in this section, "state facilities" includes all state
29 buildings, related structures, and appurtenances constructed for any
30 elected state officials, institutions, departments, boards,
31 commissions, colleges, community colleges, except the state
32 universities(~~(7)~~) and The Evergreen State College (~~and "regional~~
33 ~~universities~~). "State facilities" does not include facilities owned
34 by or used for operational purposes and constructed for the department
35 of transportation, department of fish and wildlife, department of
36 natural resources, or state parks and recreation commission.

37 The director or the director's designee shall:

1 (1) Prepare cost estimates and technical information to accompany
2 the capital budget and prepare or contract for plans and specifications
3 for new construction and major repairs and alterations to state
4 facilities.

5 (2) Contract for professional architectural, engineering, and
6 related services for the design of new state facilities and major
7 repair or alterations to existing state facilities.

8 (3) Provide contract administration for new construction and the
9 repair and alteration of existing state facilities.

10 (4) In accordance with the public works laws, contract on behalf of
11 the state for the new construction and major repair or alteration of
12 state facilities.

13 The director may delegate any and all of the functions under
14 subsections (1) through (4) of this section to any agency upon such
15 terms and conditions as considered advisable.

16 **Sec. 71.** RCW 43.41.040 and 1993 c 500 s 4 are each amended to read
17 as follows:

18 As used in this chapter, unless the context indicates otherwise:

19 (1) "Office" means the office of financial management.

20 (2) "Director" means the director of financial management.

21 (3) "Agency" means and includes every state agency, office,
22 officer, board, commission, department, state institution, or state
23 institution of higher education, which includes all state universities,
24 (~~regional universities,~~) The Evergreen State College, and community
25 and technical colleges.

26 **Sec. 72.** RCW 43.88.195 and 1996 c 186 s 509 are each amended to
27 read as follows:

28 After August 11, 1969, no state agency, state institution, state
29 institution of higher education, which shall include all state
30 universities, (~~regional universities,~~) The Evergreen State College,
31 and community colleges, shall establish any new accounts or funds which
32 are to be located outside of the state treasury: PROVIDED, That the
33 office of financial management shall be authorized to grant permission
34 for the establishment of such an account or fund outside of the state
35 treasury only when the requesting agency presents compelling reasons of
36 economy and efficiency which could not be achieved by placing such

1 funds in the state treasury. When the director of financial management
2 authorizes the creation of such fund or account, the director shall
3 forthwith give written notice of the fact to the standing committees on
4 ways and means of the house and senate: PROVIDED FURTHER, That
5 agencies authorized to create local accounts will utilize the services
6 of the state treasurer's office to ensure that new or ongoing
7 relationships with financial institutions are in concert with statewide
8 policies and procedures pursuant to RCW 43.88.160(1).

9 **Sec. 73.** RCW 44.28.816 and 2011 1st sp.s. c 10 s 31 are each
10 amended to read as follows:

11 (1) During calendar year 2018, the joint committee shall complete
12 a systemic performance audit of the tuition-setting authority in RCW
13 28B.15.067 granted to the governing boards of the state universities(~~(~~
14 ~~regional universities,~~) and The Evergreen State College. The audit
15 must include a separate analysis of both the authority granted in RCW
16 28B.15.067(3) and the authority in RCW 28B.15.067(4). The purpose of
17 the audit is to evaluate the impact of institutional tuition-setting
18 authority on student access, affordability, and institutional quality.

19 (2) The audit must include an evaluation of the following outcomes
20 for each four-year institution of higher education:

21 (a) Changes in undergraduate enrollment, retention, and graduation
22 by race and ethnicity, gender, state and county of origin, age, and
23 socioeconomic status;

24 (b) The impact on student transferability, particularly from
25 Washington community and technical colleges;

26 (c) Changes in time and credits to degree;

27 (d) Changes in the number and availability of online programs and
28 undergraduate enrollments in the programs;

29 (e) Changes in enrollments in the running start and other dual
30 enrollment programs;

31 (f) Impacts on funding levels for state student financial aid
32 programs;

33 (g) Any changes in the percent of students who apply for student
34 financial aid using the free application for federal student aid
35 (FAFSA);

36 (h) Any changes in the percent of students who apply for available
37 tax credits;

1 (i) Information on the use of building fee revenue by fiscal or
2 academic year; and

3 (j) Undergraduate tuition and fee rates compared to undergraduate
4 tuition and fee rates at similar institutions in the global challenge
5 states.

6 (3) The audit must include recommendations on whether to continue
7 tuition-setting authority beyond the 2018-19 academic year.

8 (4) In conducting the audit, the auditor shall solicit input from
9 key higher education stakeholders, including but not limited to
10 students and their families, faculty, and staff. To the maximum extent
11 possible, data for the University of Washington and Washington State
12 University shall be disaggregated by branch campus.

13 (5) The auditor shall report findings and recommendations to the
14 appropriate committees of the legislature by December 15, 2018.

15 (6) This section expires December 31, 2018.

16 **Sec. 74.** RCW 46.04.127 and 1994 c 194 s 1 are each amended to read
17 as follows:

18 "Collegiate license plates" means license plates that display a
19 depiction of the name and mascot or symbol of a state university(~~(~~
20 ~~regional university,~~) or state college as defined in RCW 28B.10.016.

21 **Sec. 75.** RCW 46.18.225 and 2011 c 332 s 4 are each amended to read
22 as follows:

23 A state university(~~(~~~~regional university,~~) or state college as
24 defined in RCW 28B.10.016 may apply to the department, in a form
25 approved by the department and request the department to issue a series
26 of collegiate license plates, for display on motor vehicles required to
27 display one or two license plates, excluding vehicles registered under
28 chapter 46.87 RCW, upon terms and conditions established by the
29 department, depicting the name and mascot or symbol of the college or
30 university, as submitted and approved for use by the requesting
31 institution.

32 **Sec. 76.** RCW 46.63.040 and 2002 c 237 s 20 are each amended to
33 read as follows:

34 (1) All violations of state law, local law, ordinance, regulation,

1 or resolution designated as traffic infractions in RCW 46.63.020 may be
2 heard and determined by a district court, except as otherwise provided
3 in this section.

4 (2) Any municipal court has the authority to hear and determine
5 traffic infractions pursuant to this chapter.

6 (3) Any city or town with a municipal court may contract with the
7 county to have traffic infractions committed within the city or town
8 adjudicated by a district court.

9 (4) District court commissioners have the authority to hear and
10 determine traffic infractions pursuant to this chapter.

11 (5) Any district or municipal court may refer juveniles age sixteen
12 or seventeen who are enrolled in school to a youth court, as defined in
13 RCW 3.72.005 or 13.40.020, for traffic infractions.

14 (6) The boards of regents and boards of trustees of the state
15 universities, and the boards of trustees of (~~the regional universities~~
16 ~~and of~~) The Evergreen State College have the authority to hear and
17 determine traffic infractions under RCW 28B.10.560.

18 **Sec. 77.** RCW 48.23.010 and 2005 c 223 s 12 are each amended to
19 read as follows:

20 This chapter applies to contracts of life insurance and annuities
21 other than group life insurance, group annuities, and, except for RCW
22 48.23.260, 48.23.270, and 48.23.340, other than industrial life
23 insurance. However, Title 48 RCW does not apply to charitable gift
24 annuities issued by a board of a state university(~~(, regional~~
25 ~~university,)) or a state college, nor to the issuance thereof.~~

26 **Sec. 78.** RCW 82.08.025651 and 2011 c 23 s 4 are each amended to
27 read as follows:

28 (1)(a) The tax levied by RCW 82.08.020 does not apply to sales to
29 a public research institution of machinery and equipment used primarily
30 in a research and development operation, or to sales of or charges made
31 for labor and services rendered in respect to installing, repairing,
32 cleaning, altering, or improving the machinery and equipment.

33 (b) Sellers making tax-exempt sales under this section must obtain
34 from the purchaser an exemption certificate in a form and manner
35 prescribed by the department. The seller must retain a copy of the
36 certificate for the seller's files.

1 (2) A public research institution claiming the exemption provided
2 in this section must file a complete annual survey with the department
3 under RCW 82.32.585.

4 (3) For purposes of this section, the following definitions apply:

5 (a) "Machinery and equipment" means those fixtures, pieces of
6 equipment, digital goods, and support facilities that are an integral
7 and necessary part of a research and development operation, and
8 tangible personal property that becomes an ingredient or component of
9 such fixtures, equipment, and support facilities, including repair
10 parts and replacement parts. "Machinery and equipment" may include,
11 but is not limited to: Computers; software; data processing equipment;
12 laboratory equipment, instrumentation, and other devices used in a
13 process of experimentation to develop a new or improved pilot model,
14 plant process, product, formula, or invention; vats, tanks, and
15 fermenters; operating structures; and all equipment used to control,
16 monitor, or operate the machinery and equipment.

17 (b) "Machinery and equipment" does not include:

18 (i) Hand-powered tools;

19 (ii) Property with a useful life of less than one year;

20 (iii) Buildings; and

21 (iv) Those building fixtures that are not an integral and necessary
22 part of a research and development operation and that are permanently
23 affixed to and become a physical part of a building, such as utility
24 systems for heating, ventilation, air conditioning, communications,
25 plumbing, or electrical.

26 (c) "Primarily" means greater than fifty percent as measured by
27 time. If machinery and equipment is used simultaneously in a research
28 and development operation and also for other purposes, the use for
29 other purposes must be disregarded during the period of simultaneous
30 use for purposes of determining whether the machinery and equipment is
31 used primarily in a research and development operation.

32 (d) "Public research institution" means any college or university
33 included within the definitions of state universities(~~(, regional~~
34 ~~universities,)~~) or state college in RCW 28B.10.016.

35 (e) "Research and development operation" means engaging in research
36 and development as defined in RCW 82.63.010.

1 **Sec. 79.** RCW 82.12.0264 and 1980 c 37 s 63 are each amended to
2 read as follows:

3 The provisions of this chapter shall not apply in respect to the
4 use of motor vehicles, equipped with dual controls, which are loaned to
5 and used exclusively by a school in connection with its driver training
6 program: PROVIDED, That this exemption and the term "school" shall
7 apply only to (1) the University of Washington, Washington State
8 University, (~~the regional universities~~) Central Washington
9 University, Eastern Washington University, Western Washington
10 University, The Evergreen State College, and the state community
11 colleges or (2) any public, private or parochial school accredited by
12 either the state board of education or by the University of Washington
13 (the state accrediting station) or (3) any public vocational school
14 meeting the standards, courses and requirements established and
15 prescribed or approved in accordance with the Community College Act of
16 1967 (chapter 8, Laws of 1967 first extraordinary session).

17 **Sec. 80.** RCW 28B.10.417 and 2011 1st sp.s. c 47 s 6 are each
18 amended to read as follows:

19 (1) This section applies only to those persons who are first
20 employed by a higher education institution in a position eligible for
21 participation in an annuity or retirement program under RCW 28B.10.400
22 prior to July 1, 2011.

23 (2) A faculty member or other employee exempt from civil service
24 pursuant to RCW 41.06.070 (1)(~~cc~~) (z) and (2) designated by the
25 board of trustees of (~~the applicable regional~~) Central Washington
26 University, Eastern Washington University, Western Washington
27 University, or of The Evergreen State College as being subject to an
28 annuity or retirement income plan and who, at the time of such
29 designation, is a member of the Washington state teachers' retirement
30 system, shall retain credit for such service in the Washington state
31 teachers' retirement system and, except as provided in subsection (3)
32 of this section, shall leave his or her accumulated contributions in
33 the teachers' retirement fund. Upon his or her attaining eligibility
34 for retirement under the Washington state teachers' retirement system,
35 such faculty member or other employee shall receive from the Washington
36 state teachers' retirement system a retirement allowance consisting of
37 an annuity which shall be the actuarial equivalent of his or her

1 accumulated contributions at his or her age when becoming eligible for
2 such retirement and a pension for each year of creditable service
3 established and retained at the time of said designation as provided in
4 RCW 41.32.497. Anyone who on July 1, 1967, was receiving pension
5 payments from the teachers' retirement system based on thirty-five
6 years of creditable service shall thereafter receive a pension based on
7 the total years of creditable service established with the retirement
8 system: PROVIDED, HOWEVER, That any such faculty member or other
9 employee exempt from civil service pursuant to RCW 41.06.070
10 (1)((+ee+)) (z) and (2) who, upon attainment of eligibility for
11 retirement under the Washington state teachers' retirement system, is
12 still engaged in public educational employment, shall not be eligible
13 to receive benefits under the Washington state teachers' retirement
14 system until he or she ceases such public educational employment. Any
15 retired faculty member or other employee who enters service in any
16 public educational institution shall cease to receive pension payments
17 while engaged in such service: PROVIDED FURTHER, That such service may
18 be rendered up to seventy-five days in a school year without reduction
19 of pension.

20 (3) A faculty member or other exempt employee designated by the
21 board of trustees of (~~the applicable regional~~) Central Washington
22 University, Eastern Washington University, or Western Washington
23 University, or of The Evergreen State College as being subject to the
24 annuity and retirement income plan and who, at the time of such
25 designation, is a member of the Washington state teachers' retirement
26 system may, at his or her election and at any time, on and after
27 midnight June 10, 1959, terminate his or her membership in the
28 Washington state teachers' retirement system and withdraw his or her
29 accumulated contributions and interest in the teachers' retirement fund
30 upon written application to the board of trustees of the Washington
31 state teachers' retirement system. Faculty members or other employees
32 who withdraw their accumulated contributions, on and after the date of
33 withdrawal of contributions, shall no longer be members of the
34 Washington state teachers' retirement system and shall forfeit all
35 rights of membership, including pension benefits, theretofore acquired
36 under the Washington state teachers' retirement system.

1 noncredit courses, community services courses, and self-supporting
2 courses as it, in its discretion, may determine, consistent with the
3 rules of the state board for community and technical colleges.

4 (5) The governing board of a college offering an applied
5 baccalaureate degree program under RCW 28B.50.810 may charge tuition
6 fees for those courses above the associate degree level at rates
7 consistent with rules adopted by the state board for community and
8 technical colleges, not to exceed tuition fee rates at (~~the regional~~
9 ~~universities~~) Central Washington University, Eastern Washington
10 University, or Western Washington university.

11 **Sec. 83.** RCW 28B.35.050 and 1977 ex.s. c 169 s 2 are each amended
12 to read as follows:

13 The primary purposes of (~~the regional universities~~) Central
14 Washington University, Eastern Washington University, and Western
15 Washington University shall be to offer undergraduate and graduate
16 education programs through the master's degree, including programs of
17 a practical and applied nature, directed to the educational and
18 professional needs of the residents of the regions they serve; to act
19 as receiving institutions for transferring community college students;
20 and to provide extended occupational and complementary studies programs
21 that continue or are otherwise integrated with the educational services
22 of the region's community colleges.

23 No college shall be eligible for designation as a (~~regional~~)
24 state university until it has been in operation for at least twenty
25 years and has been authorized to offer master's degree programs in more
26 than three fields.

27 **Sec. 84.** RCW 28B.35.100 and 2006 c 78 s 3 are each amended to read
28 as follows:

29 (1) The governance of (~~each of the regional universities~~) Central
30 Washington University, Eastern Washington University, and Western
31 Washington University shall be vested in a board of trustees consisting
32 of eight members, one of whom shall be a student. The governor shall
33 select the student member from a list of candidates, of at least three
34 and not more than five, submitted by the governing body of the
35 associated students. They shall be appointed by the governor with the
36 consent of the senate and, except for the student member, shall hold

1 their offices for a term of six years from the first day of October and
2 until their successors are appointed and qualified. The student member
3 shall hold his or her office for a term of one year from the first day
4 of July and until the first day of July of the following year or until
5 his or her successor is appointed and qualified, whichever is later.
6 The student member shall be a full-time student in good standing at the
7 respective university at the time of appointment.

8 (2) Five members of the board constitute a quorum for the
9 transaction of business. In case of a vacancy, or when an appointment
10 is made after the date of expiration of the term, the governor shall
11 fill the vacancy for the remainder of the term of the trustee whose
12 office has become vacant or expired.

13 (3) Except for the term of the student member, no more than the
14 terms of two members will expire simultaneously on the last day of
15 September in any one year.

16 (4) A student appointed under this section shall excuse himself or
17 herself from participation or voting on matters relating to the hiring,
18 discipline, or tenure of faculty members and personnel.

19 **Sec. 85.** RCW 28B.35.105 and 2011 c 336 s 726 are each amended to
20 read as follows:

21 Each board of (~~regional university~~) trustees at Central
22 Washington University, Eastern Washington University, and Western
23 Washington University shall elect one of its members chair, and it
24 shall elect a secretary, who may or may not be a member of the board.
25 Each board shall have power to adopt bylaws for its government and for
26 the government of the school, which bylaws shall not be inconsistent
27 with law, and to prescribe the duties of its officers, committees, and
28 employees. A majority of the board shall constitute a quorum for the
29 transaction of all business.

30 **Sec. 86.** RCW 28B.35.110 and 2011 c 336 s 727 are each amended to
31 read as follows:

32 Each board of (~~regional university~~) trustees at Central
33 Washington University, Eastern Washington University, and Western
34 Washington University shall hold at least two regular meetings each
35 year, at such times as may be provided by the board. Special meetings

1 shall be held as may be deemed necessary, whenever called by the chair
2 or by a majority of the board. Public notice of all meetings shall be
3 given in accordance with chapter 42.32 RCW.

4 **Sec. 87.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to
5 read as follows:

6 In addition to any other powers and duties prescribed by law, each
7 board of trustees of (~~the respective regional universities~~) Central
8 Washington University, Eastern Washington University, and Western
9 Washington University:

10 (1) Shall have full control of (~~the regional~~) its respective
11 university and its property of various kinds, except as otherwise
12 provided by law(~~(-)~~);

13 (2) Shall employ the president of (~~the regional~~) its respective
14 university, his or her assistants, members of the faculty, and other
15 employees of the institution, who, except as otherwise provided by law,
16 shall hold their positions, until discharged therefrom by the board for
17 good and lawful reason(~~(-)~~);

18 (3) With the assistance of the faculty of (~~the regional~~) its
19 respective university, shall prescribe the course of study in the
20 various schools and departments thereof and publish such catalogues
21 thereof as the board deems necessary: PROVIDED, That the Washington
22 professional educator standards board shall determine the requisites
23 for and give program approval of all courses leading to teacher
24 certification by such board(~~(-)~~);

25 (4) Establish such divisions, schools, or departments necessary to
26 carry out the purposes of (~~the regional~~) its respective university
27 and not otherwise proscribed by law(~~(-)~~);

28 (5) Except as otherwise provided by law, may establish and erect
29 such new facilities as determined by the board to be necessary for
30 (~~the regional~~) its respective university(~~(-)~~);

31 (6) May acquire real and other property as provided in RCW
32 28B.10.020, as now or hereafter amended(~~(-)~~);

33 (7) Except as otherwise provided by law, may purchase all supplies
34 and purchase or lease equipment and other personal property needed for
35 the operation or maintenance of (~~the regional~~) its respective
36 university(~~(-)~~);

1 (8) May establish, lease, operate, equip, and maintain self-
2 supporting facilities in the manner provided in RCW 28B.10.300 through
3 28B.10.330, as now or hereafter amended(~~(-)~~);

4 (9) Except as otherwise provided by law, to enter into such
5 contracts as the trustees deem essential to (~~regional~~) its respective
6 university purposes(~~(-)~~);

7 (10) May receive such gifts, grants, conveyances, devises, and
8 bequests of real or personal property from whatsoever source, as may be
9 made from time to time, in trust or otherwise, whenever the terms and
10 conditions thereof will aid in carrying out (~~the regional~~) its
11 respective university programs; sell, lease, or exchange, invest or
12 expend the same or the proceeds, rents, profits, and income thereof
13 except as limited by the terms and conditions thereof; and adopt
14 (~~regulations~~) rules to govern the receipt and expenditure of the
15 proceeds, rents, profits, and income thereof(~~(-)~~);

16 (11) Subject to the approval of the higher education coordinating
17 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
18 campus programs, participate in consortia or centers, contract for off-
19 campus educational programs, and purchase or lease major off-campus
20 facilities(~~(-)~~); and

21 (12) May promulgate such rules (~~and regulations~~), and perform all
22 other acts not forbidden by law, as the board of trustees may in its
23 discretion deem necessary or appropriate to the administration of (~~the~~
24 ~~regional~~) its respective university.

25 **Sec. 88.** RCW 28B.35.190 and 1992 c 117 s 1 are each amended to
26 read as follows:

27 Subject to the provisions of RCW 35.21.779, each board of trustees
28 of (~~the regional universities~~) Central Washington University, Eastern
29 Washington University, and Western Washington University may:

30 (1) Contract for such fire protection services as may be necessary
31 for the protection and safety of the students, staff and property of
32 (~~the regional~~) its respective university;

33 (2) By agreement pursuant to the provisions of chapter 239, Laws of
34 1967 (chapter 39.34 RCW), as now or hereafter amended, join together
35 with other agencies or political subdivisions of the state or federal
36 government and otherwise share in the accomplishment of any of the
37 purposes of subsection (1) of this section:

1 PROVIDED, HOWEVER, That neither the failure of the trustees to
2 exercise any of its powers under this section nor anything herein shall
3 detract from the lawful and existing powers and duties of political
4 subdivisions of the state to provide the necessary fire protection
5 equipment and services to persons and property within their
6 jurisdiction.

7 **Sec. 89.** RCW 28B.35.230 and 2011 c 336 s 729 are each amended to
8 read as follows:

9 Every diploma issued by (~~a regional~~) Central Washington
10 University, Eastern Washington University, or Western Washington
11 University shall be signed by the chair of the board of trustees and by
12 the president of the (~~regional~~) university issuing the same, and
13 sealed with the appropriate seal. In addition to the foregoing,
14 teaching certificates shall be countersigned by the state
15 superintendent of public instruction. Every certificate shall
16 specifically state what course of study the holder has completed and
17 for what length of time such certificate is valid in the schools of the
18 state.

19 **Sec. 90.** RCW 28B.35.300 and 1977 ex.s. c 169 s 54 are each amended
20 to read as follows:

21 A model school or schools or training departments may be provided
22 for (~~each regional~~) Central Washington University, Eastern Washington
23 University, and Western Washington University, in which students,
24 before graduation, may have actual practice in teaching or courses
25 relative thereto under the supervision and observation of critic
26 teachers. All schools or departments involved herewith shall organize
27 and direct their work being cognizant of public school needs.

28 **Sec. 91.** RCW 28B.35.305 and 1977 ex.s. c 169 s 55 are each amended
29 to read as follows:

30 The board of trustees of (~~any regional~~) Central Washington
31 University, Eastern Washington University, or Western Washington
32 University having a model school or training department as authorized
33 by RCW 28B.35.300, shall, on or before the first Monday of September of
34 each year, file with the board of the school district or districts in
35 which such (~~regional~~) university is situated, a certified statement

1 showing an estimate of the number of public school pupils who will be
2 required to make up such model school and specifying the number
3 required for each grade for which training for students is required.

4 **Sec. 92.** RCW 28B.35.310 and 2011 c 336 s 730 are each amended to
5 read as follows:

6 It shall thereupon be the duty of the board of the school district
7 or districts with which such statement has been filed, to apportion for
8 attendance to the said model school or training department, a
9 sufficient number of pupils from the public schools under the
10 supervision of said board as will furnish to such (~~regional~~)
11 university the number of pupils required in order to maintain such
12 facility: PROVIDED, That the president of said (~~regional~~) university
13 may refuse to accept any such pupil as in his or her judgment would
14 tend to reduce the efficiency of said model school or training
15 department.

16 **Sec. 93.** RCW 28B.35.315 and 1977 ex.s. c 169 s 57 are each amended
17 to read as follows:

18 Annually, on or before the date for reporting the school attendance
19 of the school district in which said model school or training
20 department is situated, for the purpose of taxation for the support of
21 the common schools, the board of trustees of each such (~~regional~~)
22 university having supervision over the same shall file with the board
23 of the school district or districts, in which such model school or
24 training department is situated, a report showing the number of common
25 school pupils at each such model school or training department during
26 the school year last passed, and the period of their attendance in the
27 same form that reports of public schools are made. Any superintendent
28 of the school district so affected shall, in reporting the attendance
29 in said school district, segregate the attendance at said model school
30 or training department, from the attendance in the other schools of
31 said district: PROVIDED, That attendance shall be credited, if credit
32 be given therefor, to the school district in which the pupil resides.

33 **Sec. 94.** RCW 28B.35.350 and 1977 ex.s. c 169 s 58 are each amended
34 to read as follows:

35 Any student may be suspended or expelled from (~~any regional~~)

1 Central Washington University, Eastern Washington University, and
2 Western Washington University who is found to be guilty of an
3 infraction of the regulations of the institution.

4 **Sec. 95.** RCW 28B.35.370 and 2011 1st sp.s. c 48 s 7024 are each
5 amended to read as follows:

6 Within thirty-five days from the date of collection thereof all
7 building fees of (~~each regional~~) Central Washington University,
8 Eastern Washington University, Western Washington University, and The
9 Evergreen State College shall be paid into the state treasury and these
10 together with such normal school fund revenues as provided in RCW
11 28B.35.751 as are received by the state treasury shall be credited as
12 follows:

13 (1) On or before June 30th of each year the board of trustees of
14 (~~each regional~~) Central Washington University, Eastern Washington
15 University, Western Washington University, and The Evergreen State
16 College, if issuing bonds payable out of its building fees and above
17 described normal school fund revenues, shall certify to the state
18 treasurer the amounts required in the ensuing twelve months to pay and
19 secure the payment of the principal of and interest on such bonds. The
20 amounts so certified by (~~each regional~~) Central Washington
21 University, Eastern Washington University, Western Washington
22 University, and The Evergreen State College shall be a prior lien and
23 charge against all building fees and above described normal school fund
24 revenues of such institution. The state treasurer shall thereupon
25 deposit the amounts so certified in the Eastern Washington University
26 capital projects account, the Central Washington University capital
27 projects account, the Western Washington University capital projects
28 account, or The Evergreen State College capital projects account
29 respectively, which accounts are hereby created in the state treasury.
30 The amounts deposited in the respective capital projects accounts shall
31 be used to pay and secure the payment of the principal of and interest
32 on the building bonds issued by (~~such regional universities~~) Central
33 Washington University, Eastern Washington University, Western
34 Washington University, and The Evergreen State College as authorized by
35 law. If in any twelve-month period it shall appear that the amount
36 certified by any such board of trustees is insufficient to pay and
37 secure the payment of the principal of and interest on the outstanding

1 building and above described normal school fund revenue bonds of its
2 institution, the state treasurer shall notify the board of trustees and
3 such board shall adjust its certificate so that all requirements of
4 moneys to pay and secure the payment of the principal of and interest
5 on all such bonds then outstanding shall be fully met at all times.

6 (2) All normal school fund revenue pursuant to RCW 28B.35.751 shall
7 be deposited in the Eastern Washington University capital projects
8 account, the Central Washington University capital projects account,
9 the Western Washington University capital projects account, or The
10 Evergreen State College capital projects account respectively, which
11 accounts are hereby created in the state treasury. The sums deposited
12 in the respective capital projects accounts shall be appropriated and
13 expended to pay and secure the payment of the principal of and interest
14 on bonds payable out of the building fees and normal school revenue and
15 for the construction, reconstruction, erection, equipping, maintenance,
16 demolition and major alteration of buildings and other capital assets,
17 and the acquisition of sites, rights-of-way, easements, improvements or
18 appurtenances in relation thereto except for any sums transferred
19 therefrom as authorized by law. During the 2011-2013 biennium, sums in
20 the respective capital accounts shall also be used for routine facility
21 maintenance and utility costs.

22 (3) Funds available in the respective capital projects accounts may
23 also be used for certificates of participation under chapter 39.94 RCW.

24 **Sec. 96.** RCW 28B.35.390 and 1977 ex.s. c 169 s 61 are each amended
25 to read as follows:

26 The president of (~~each regional~~) Central Washington University,
27 Eastern Washington University, and Western Washington University shall
28 have general supervision of the university and see that all laws and
29 rules of the board of trustees are observed.

30 **Sec. 97.** RCW 28B.35.400 and 1977 ex.s. c 169 s 62 are each amended
31 to read as follows:

32 It shall be the duty of the presidents of (~~the several regional~~
33 ~~universities~~) Central Washington University, Eastern Washington
34 University, and Western Washington University to meet at least once
35 annually to consult with each other relative to the management of the
36 (~~regional~~) universities.

1 **Sec. 98.** RCW 28B.35.700 and 1985 c 390 s 48 are each amended to
2 read as follows:

3 The boards of trustees of (~~the regional universities~~) Central
4 Washington University, Eastern Washington University, Western
5 Washington University, and of The Evergreen State College are empowered
6 in accordance with the provisions of RCW 28B.35.700 through 28B.35.790,
7 to provide for the construction, completion, reconstruction,
8 remodeling, rehabilitation and improvement of buildings and facilities
9 authorized by the legislature for the use of the aforementioned
10 universities and The Evergreen State College and to finance the payment
11 thereof by bonds payable out of special funds from revenues hereafter
12 derived from the payment of building fees, gifts, bequests or grants
13 and such additional funds as the legislature may provide.

14 **Sec. 99.** RCW 28B.35.710 and 1985 c 390 s 49 are each amended to
15 read as follows:

16 The following terms, whenever used or referred to in RCW 28B.35.700
17 through 28B.35.790, shall have the following meaning, excepting in
18 those instances where the context clearly indicates otherwise:

19 (1) The word "boards" means the boards of trustees of (~~the~~
20 ~~regional universities~~) Central Washington University, Eastern
21 Washington University, Western Washington University, and The Evergreen
22 State College.

23 (2) The words "building fees" mean the building fees charged
24 students registering at each college, but shall not mean the special
25 tuition or other fees charged such students or fees, charges, rentals,
26 and other income derived from any or all revenue-producing lands,
27 buildings, and facilities of the respective colleges, heretofore or
28 hereafter acquired, constructed or installed, including but not limited
29 to income from rooms, dormitories, dining rooms, hospitals,
30 infirmaries, housing or student activity buildings, vehicular parking
31 facilities, land or the appurtenances thereon.

32 (3) The words "bond retirement funds" shall mean the special funds
33 created by law and known as the Eastern Washington University bond
34 retirement fund, Central Washington University bond retirement fund,
35 Western Washington University bond retirement fund, and The Evergreen
36 State College bond retirement fund, all as referred to in RCW
37 28B.35.370.

1 (4) The word "bonds" means the bonds payable out of the bond
2 retirement funds.

3 (5) The word "projects" means the construction, completion,
4 reconstruction, remodeling, rehabilitation, or improvement of any
5 building or other facility of any of the aforementioned colleges
6 authorized by the legislature at any time and to be financed by the
7 issuance and sale of bonds.

8 **Sec. 100.** RCW 28B.35.790 and 1977 ex.s. c 169 s 91 are each
9 amended to read as follows:

10 RCW 28B.35.700 through 28B.35.790 as now or hereafter amended is
11 concurrent with other legislation with reference to providing funds for
12 the construction of buildings at (~~the regional universities~~) Central
13 Washington University, Eastern Washington University, Western
14 Washington University, or The Evergreen State College and is not to be
15 construed as repealing or limiting any existing provision of law with
16 reference thereto.

17 **Sec. 101.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to
18 read as follows:

19 (1) The primary mission of the higher education branch campuses
20 created under this chapter remains to expand access to baccalaureate
21 and graduate education in underserved urban areas of the state in
22 collaboration with community and technical colleges. The top priority
23 for each of the campuses is to expand courses and degree programs for
24 transfer and graduate students. New degree programs should be driven
25 by the educational needs and demands of students and the community, as
26 well as the economic development needs of local businesses and
27 employers.

28 (2) Branch campuses shall collaborate with the community and
29 technical colleges in their region to develop articulation agreements,
30 dual admissions policies, and other partnerships to ensure that branch
31 campuses serve as innovative models of a two plus two educational
32 system. Other possibilities for collaboration include but are not
33 limited to joint development of curricula and degree programs,
34 colocation of instruction, and arrangements to share faculty.

35 (3) In communities where a private postsecondary institution is

1 located, representatives of the private institution may be invited to
2 participate in the conversation about meeting the baccalaureate and
3 graduate needs in underserved urban areas of the state.

4 (4) However, the legislature recognizes there are alternative
5 models for achieving this primary mission. Some campuses may have
6 additional missions in response to regional needs and demands. At
7 selected branch campuses, an innovative combination of instruction and
8 research targeted to support regional economic development may be
9 appropriate to meet the region's needs for both access and economic
10 viability. Other campuses should focus on becoming models of a two
11 plus two educational system through continuous improvement of
12 partnerships and agreements with community and technical colleges.
13 Still other campuses may be best suited to transition to a four-year
14 university or be removed from designation as a branch campus entirely.

15 (5) The legislature recognizes that size, mix of degree programs,
16 and proportion of lower versus upper division and graduate enrollments
17 are factors that affect costs at branch campuses. However over time,
18 the legislature intends that branch campuses be funded more similarly
19 to (~~regional~~) comprehensive universities.

20 (6) Subject to approval by the higher education coordinating board,
21 in accordance with RCW 28B.76.230, research universities are authorized
22 to develop doctoral degree programs at their branch campuses.

23 (7) The higher education coordinating board shall monitor and
24 evaluate growth of the branch campuses and periodically report and make
25 recommendations to the higher education committees of the legislature
26 to ensure the campuses continue to follow the priorities established
27 under this chapter.

28 **Sec. 102.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to
29 read as follows:

30 (1) One strategy to accomplish expansion of baccalaureate capacity
31 in underserved regions of the state is to allocate state funds for
32 student enrollment to a community and technical college and authorize
33 the college to enter into agreements with a (~~regional~~) state
34 university or state college as defined in RCW 28B.10.016 or a branch
35 campus under chapter 28B.45 RCW, to offer baccalaureate degree
36 programs.

1 (2) Subject to legislative appropriation for the purpose described
2 in this section, the college board shall select and allocate funds to
3 three community or technical colleges for the purpose of entering into
4 an agreement with one or more (~~regional~~) state universities, branch
5 campuses, or the state college to offer baccalaureate degree programs
6 on the college campus.

7 (3) The college board shall select the community or technical
8 college based on analysis of gaps in service delivery, capacity, and
9 student and employer demand for programs. Before taking effect, the
10 agreement under this section must be approved by the higher education
11 coordinating board.

12 (4) Students enrolled in programs under this section are considered
13 students of the (~~regional~~) state university, branch campus, or state
14 college for all purposes including tuition and reporting of state-
15 funded enrollments.

16 **Sec. 103.** RCW 28B.65.030 and 1983 1st ex.s. c 72 s 4 are each
17 amended to read as follows:

18 A Washington state high-technology education and training program
19 is hereby established. The program shall be designed to:

20 (1) Develop the competence needed to make Washington state a leader
21 in high-technology fields, to increase the productivity of state
22 industries, and to improve the state's competitiveness in regional,
23 national, and international trade;

24 (2) Develop degree programs to enable students to be productive in
25 new and emerging high-technology fields by using the resources of the
26 state's two-year community colleges, (~~regional universities~~) Central
27 Washington University, Eastern Washington University, Western
28 Washington University, the University of Washington, Washington State
29 University, and The Evergreen State College; and

30 (3) Provide industries in the state with a highly-skilled workforce
31 capable of producing, operating, and servicing the advancing technology
32 needed to modernize the state's industries and to revitalize the
33 state's economy.

34 **Sec. 104.** RCW 28B.65.080 and 1983 1st ex.s. c 72 s 9 are each
35 amended to read as follows:

1 (1) The high-technology coordinating board shall make
2 recommendations regarding:

3 (a) The establishment of regional consortiums for the establishment
4 and development of high-technology education and training;

5 (b) The establishment of baccalaureate degree training programs in
6 high-technology fields; and

7 (c) The offering of high-technology education and training programs
8 at both community college facilities and at state colleges and
9 (~~regional~~) universities.

10 (2) If the program is approved, the first two years of the
11 baccalaureate degree program offered by the respective state colleges
12 and (~~regional~~) universities at community college facilities shall be
13 administered and operated by the respective community colleges. The
14 third and fourth years of the baccalaureate degree program offered at
15 the community college facilities shall be administered and operated by
16 the respective state colleges and (~~regional~~) universities. Each
17 community college participating in the program shall offer two-year
18 associate degrees in high-technology fields which shall be
19 transferrable to and accepted by the state colleges and (~~regional~~)
20 universities.

21 (3) The high-technology coordinating board shall oversee and
22 coordinate the operation of the consortiums.

23 (4) Any such consortiums shall be implemented upon approval by the
24 high-technology coordinating board: PROVIDED, That if the fiscal
25 impact of any program recommendations exceeds existing resources plus
26 the two hundred fifty thousand dollars appropriated in section 15,
27 chapter 72, Laws of 1983 1st ex. sess., such programs shall require
28 legislative approval.

29 **Sec. 105.** RCW 39.35C.050 and 1996 c 186 s 409 are each amended to
30 read as follows:

31 In addition to any other authorities conferred by law:

32 (1) The department, with the consent of the state agency or school
33 district responsible for a facility, a state (~~or regional~~) university
34 acting independently, and any other state agency acting through the
35 department of (~~general administration~~) enterprise services or as
36 otherwise authorized by law, may:

1 (a) Develop and finance conservation at public facilities in
2 accordance with express provisions of this chapter;

3 (b) Contract for energy services, including performance-based
4 contracts;

5 (c) Contract to sell energy savings from a conservation project at
6 public facilities to local utilities or the Bonneville power
7 administration.

8 (2) A state (~~or regional~~) university acting independently, and
9 any other state agency acting through the department of (~~general~~
10 ~~administration~~) enterprise services or as otherwise authorized by law,
11 may undertake procurements for third-party development of conservation
12 at its facilities.

13 (3) A school district may:

14 (a) Develop and finance conservation at school district facilities;

15 (b) Contract for energy services, including performance-based
16 contracts at school district facilities; and

17 (c) Contract to sell energy savings from energy conservation
18 projects at school district facilities to local utilities or the
19 Bonneville power administration directly or to local utilities or the
20 Bonneville power administration through third parties.

21 (4) In exercising the authority granted by subsections (1), (2),
22 and (3) of this section, a school district or state agency must comply
23 with the provisions of RCW 39.35C.040.

24 **Sec. 106.** RCW 39.35C.090 and 1996 c 186 s 413 are each amended to
25 read as follows:

26 In addition to any other authorities conferred by law:

27 (1) The department, with the consent of the state agency
28 responsible for a facility, a state (~~or regional~~) university acting
29 independently, and any other state agency acting through the department
30 of (~~general administration~~) enterprise services or as otherwise
31 authorized by law, may:

32 (a) Contract to sell electric energy generated at state facilities
33 to a utility; and

34 (b) Contract to sell thermal energy produced at state facilities to
35 a utility.

36 (2) A state (~~or regional~~) university acting independently, and

1 any other state agency acting through the department of (~~general~~
2 ~~administration~~) enterprise services or as otherwise authorized by law,
3 may:

4 (a) Acquire, install, permit, construct, own, operate, and maintain
5 cogeneration and facility heating and cooling measures or equipment, or
6 both, at its facilities;

7 (b) Lease state property for the installation and operation of
8 cogeneration and facility heating and cooling equipment at its
9 facilities;

10 (c) Contract to purchase all or part of the electric or thermal
11 output of cogeneration plants at its facilities;

12 (d) Contract to purchase or otherwise acquire fuel or other energy
13 sources needed to operate cogeneration plants at its facilities; and

14 (e) Undertake procurements for third-party development of
15 cogeneration projects at its facilities, with successful bidders to be
16 selected based on the responsible bid, including nonprice elements
17 listed in RCW 43.19.1911, that offers the greatest net achievable
18 benefits to the state and its agencies.

19 (3) After July 28, 1991, a state agency shall consult with the
20 department prior to exercising any authority granted by this section.

21 (4) In exercising the authority granted by subsections (1) and (2)
22 of this section, a state agency must comply with the provisions of RCW
23 39.35C.080.

24 **Sec. 107.** RCW 41.04.340 and 2011 1st sp.s. c 43 s 432 and 2011 1st
25 sp.s. c 39 s 12 are each reenacted and amended to read as follows:

26 (1) An attendance incentive program is established for all eligible
27 employees. As used in this section the term "eligible employee" means
28 any employee of the state, other than eligible employees of the
29 community and technical colleges and the state board for community and
30 technical colleges identified in RCW 28B.50.553, and teaching and
31 research faculty at the state (~~and regional~~) universities and The
32 Evergreen State College, entitled to accumulate sick leave and for whom
33 accurate sick leave records have been maintained. No employee may
34 receive compensation under this section for any portion of sick leave
35 accumulated at a rate in excess of one day per month. The state (~~and~~
36 ~~regional~~) universities and The Evergreen State College shall maintain

1 complete and accurate sick leave records for all teaching and research
2 faculty.

3 (2) In January of the year following any year in which a minimum of
4 sixty days of sick leave is accrued, and each January thereafter, any
5 eligible employee may receive remuneration for unused sick leave
6 accumulated in the previous year at a rate equal to one day's monetary
7 compensation of the employee for each four full days of accrued sick
8 leave in excess of sixty days. Sick leave for which compensation has
9 been received shall be deducted from accrued sick leave at the rate of
10 four days for every one day's monetary compensation.

11 From July 1, 2011, through June 29, 2013, the rate of monetary
12 compensation for the purposes of this subsection shall not be reduced
13 by any temporary salary reduction.

14 (3) At the time of separation from state service due to retirement
15 or death, an eligible employee or the employee's estate may elect to
16 receive remuneration at a rate equal to one day's current monetary
17 compensation of the employee for each four full days of accrued sick
18 leave. From July 1, 2011, through June 29, 2013, the rate of monetary
19 compensation for the purposes of this subsection shall not be reduced
20 by any temporary salary reduction.

21 (4) Remuneration or benefits received under this section shall not
22 be included for the purpose of computing a retirement allowance under
23 any public retirement system in this state.

24 (5) Except as provided in subsections (7) through (9) of this
25 section for employees not covered by chapter 41.06 RCW, this section
26 shall be administered, and rules shall be adopted to carry out its
27 purposes, by the human resources director for persons subject to
28 chapter 41.06 RCW: PROVIDED, That determination of classes of eligible
29 employees shall be subject to approval by the office of financial
30 management.

31 (6) Should the legislature revoke any remuneration or benefits
32 granted under this section, no affected employee shall be entitled
33 thereafter to receive such benefits as a matter of contractual right.

34 (7) In lieu of remuneration for unused sick leave at retirement as
35 provided in subsection (3) of this section, an agency head or designee
36 may with equivalent funds, provide eligible employees with a benefit
37 plan that provides for reimbursement for medical expenses. This plan
38 shall be implemented only after consultation with affected groups of

1 employees. For eligible employees covered by chapter 41.06 RCW,
2 procedures for the implementation of these plans shall be adopted by
3 the human resources director. For eligible employees exempt from
4 chapter 41.06 RCW, and classified employees who have opted out of
5 coverage of chapter 41.06 RCW as provided in RCW 41.56.201,
6 implementation procedures shall be adopted by an agency head having
7 jurisdiction over the employees.

8 (8) Implementing procedures adopted by the human resources director
9 or agency heads shall require that each medical expense plan authorized
10 by subsection (7) of this section apply to all eligible employees in
11 any one of the following groups: (a) Employees in an agency; (b)
12 employees in a major organizational subdivision of an agency; (c)
13 employees at a major operating location of an agency; (d) exempt
14 employees under the jurisdiction of an elected or appointed Washington
15 state executive; (e) employees of the Washington state senate; (f)
16 employees of the Washington state house of representatives; (g)
17 classified employees in a bargaining unit established by the director
18 of personnel; or (h) other group of employees defined by an agency head
19 that is not designed to provide an individual-employee choice regarding
20 participation in a medical expense plan. However, medical expense
21 plans for eligible employees in any of the groups under (a) through (h)
22 of this subsection who are covered by a collective bargaining agreement
23 shall be implemented only by written agreement with the bargaining
24 unit's exclusive representative and a separate medical expense plan may
25 be provided for unrepresented employees.

26 (9) Medical expense plans authorized by subsection (7) of this
27 section must require as a condition of participation in the plan that
28 employees in the group affected by the plan sign an agreement with the
29 employer. The agreement must include a provision to hold the employer
30 harmless should the United States government find that the employer or
31 the employee is in debt to the United States as a result of the
32 employee not paying income taxes due on the equivalent funds placed
33 into the plan, or as a result of the employer not withholding or
34 deducting a tax, assessment, or other payment on the funds as required
35 by federal law. The agreement must also include a provision that
36 requires an eligible employee to forfeit remuneration under subsection
37 (3) of this section if the employee belongs to a group that has been

1 designated to participate in the medical expense plan permitted under
2 this section and the employee refuses to execute the required
3 agreement.

4 **Sec. 108.** RCW 43.79.150 and 1993 c 411 s 3 are each amended to
5 read as follows:

6 The one hundred thousand acres of land granted by the United States
7 government to the state for state normal schools in section 17 of the
8 enabling act are assigned to the support of (~~the regional~~
9 ~~universities~~) Central Washington University, Eastern Washington
10 University, and Western Washington University, which were formerly the
11 state colleges of education and to The Evergreen State College.

12 **Sec. 109.** RCW 43.79.180 and 1977 ex.s. c 169 s 105 are each
13 amended to read as follows:

14 There shall be paid into the state general fund for the use and
15 support of (~~the regional universities~~) Central Washington University,
16 Eastern Washington University, and Western Washington University
17 (formerly state colleges of education) the following moneys:

18 (1)--All moneys collected from the lease or rental of lands set
19 apart by the enabling act or otherwise for the state normal schools;

20 (2)--All interest or income arising from the proceeds of the sale
21 of such lands;

22 (3)--All moneys received or collected as interest on deferred
23 payments on contracts for the sale of such lands.

24 NEW SECTION. **Sec. 110.** RCW 28B.35.010 (Designation) and 1977
25 ex.s. c 169 s 44 are each repealed.

26 NEW SECTION. **Sec. 111.** This act takes effect July 1, 2012.

--- END ---