

HB 1645 - S COMM AMD

By Committee on Higher Education

ADOPTED 04/17/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28B.07.030 and 2011 1st sp.s. c 11 s 137 are each
4 amended to read as follows:

5 (1) The Washington higher education facilities authority is hereby
6 established as a public body corporate and politic, with perpetual
7 corporate succession, constituting an agency of the state of Washington
8 exercising essential governmental functions. The authority is a
9 "public body" within the meaning of RCW 39.53.010.

10 (2) The authority shall consist of (~~six~~) seven members as
11 follows: The governor, lieutenant governor, chair of the student
12 achievement council or the chair's designee, and four public members,
13 one of whom shall be the president of a higher education institution at
14 the time of appointment. The public members shall be residents of the
15 state and appointed by the governor, subject to confirmation by the
16 senate, on the basis of their interest or expertise in the provision of
17 higher education and the financing of higher education. The public
18 members of the authority shall serve for terms of four years. The
19 initial terms of the public members shall be staggered in a manner
20 determined by the governor. In the event of a vacancy on the authority
21 due to death, resignation, or removal of one of the public members, and
22 upon the expiration of the term of any public member, the governor
23 shall appoint a successor for a term expiring on the fourth anniversary
24 of the successor's date of the appointment. If any of the state
25 offices are abolished, the resulting vacancy on the authority shall be
26 filled by the state officer who shall succeed substantially to the
27 power and duties of the abolished office. Any public member of the
28 authority may be removed by the governor for misfeasance, malfeasance,
29 willful neglect of duty, or any other cause after notice and a public

1 hearing, unless such notice and hearing shall be expressly waived in
2 writing.

3 (3) The governor shall serve as chairperson of the authority. The
4 authority shall elect annually one of its members as secretary. If the
5 governor shall be absent from a meeting of the authority, the secretary
6 shall preside. However, the governor may designate an employee of the
7 governor's office to act on the governor's behalf in all other respects
8 during the absence of the governor at any meeting of the authority. If
9 the designation is in writing and is presented to the person presiding
10 at the meetings of the authority who is included in the designation,
11 the vote of the designee has the same effect as if cast by the
12 governor.

13 (4) Any person designated by resolution of the authority shall keep
14 a record of the proceedings of the authority and shall be the custodian
15 of all books, documents, and papers filed with the authority, the
16 minute book or a journal of the authority, and the authority's official
17 seal, if any. The person may cause copies to be made of all minutes
18 and other records and documents of the authority, and may give
19 certificates to the effect that such copies are true copies. All
20 persons dealing with the authority may rely upon the certificates.

21 (5) Four members of the authority constitute a quorum. Members
22 participating in a meeting through the use of any means of
23 communication by which all members participating can hear each other
24 during the meeting shall be deemed to be present in person at the
25 meeting for all purposes. The authority may act on the basis of a
26 motion except when authorizing the issuance and sale of bonds, in which
27 case the authority shall act by resolution. Bond resolutions and other
28 resolutions shall be adopted upon the affirmative vote of four members
29 of the authority, and shall be signed by those members voting yes.
30 Motions shall be adopted upon the affirmative vote of a majority of a
31 quorum of members present at any meeting of the authority. All actions
32 taken by the authority shall take effect immediately without need for
33 publication or other public notice. A vacancy in the membership of the
34 authority does not impair the power of the authority to act under this
35 chapter.

36 (6) The members of the authority shall be compensated in accordance
37 with RCW 43.03.240 and shall be entitled to reimbursement, solely from

1 the funds of the authority, for travel expenses as determined by the
2 authority incurred in the discharge of their duties under this
3 chapter."

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4 On page 1, line 2 of the title, after "authority;" strike the
5 remainder of the title and insert "and amending RCW 28B.07.030."

EFFECT: Increases the membership on the Higher Education
Facilities Authority to include the Chair of the Washington Student
Achievement Council or the Chair's designee.

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