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HOUSE BILL 1811

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Holy, Ormsby, Haler, Wylie, Zeiger, Scott, Shea, Kochmar, Condotta, Johnson, McCaslin, G. Hunt, and Rodne

Read first time 01/29/15. Referred to Committee on Higher Education.

1 AN ACT Relating to restricting bonuses and other incentives in  
2 higher education; amending RCW 28B.20.130, 28B.30.150, 28B.35.120,  
3 and 28B.40.120; and creating a new section.

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

5 **Sec. 1.** RCW 28B.20.130 and 2012 c 229 s 804 are each amended to  
6 read as follows:

7 General powers and duties of the board of regents are as follows:

8 (1) To have full control of the university and its property of  
9 various kinds, except as otherwise provided by law.

10 (2) To employ the president of the university, his or her  
11 assistants, members of the faculty, and employees of the institution,  
12 who except as otherwise provided by law, shall hold their positions  
13 during the pleasure of said board of regents. Compensation for the  
14 president and any chancellors of the university may not include  
15 bonuses or other incentives, including retention incentives, that are  
16 more than twenty percent of their base salaries or that are awarded  
17 more than once in any four-year period.

18 (3) Establish entrance requirements for students seeking  
19 admission to the university which meet or exceed the standards  
20 specified under RCW 28B.77.020. Completion of examinations  
21 satisfactory to the university may be a prerequisite for entrance by

1 any applicant at the university's discretion. Evidence of completion  
2 of public high schools and other educational institutions whose  
3 courses of study meet the approval of the university may be  
4 acceptable for entrance.

5 (4) Establish such colleges, schools, or departments necessary to  
6 carry out the purpose of the university and not otherwise proscribed  
7 by law.

8 (5) With the assistance of the faculty of the university,  
9 prescribe the course of study in the various colleges, schools, and  
10 departments of the institution and publish the necessary catalogues  
11 thereof.

12 (6) Grant to students such certificates or degrees as recommended  
13 for such students by the faculty. The board, upon recommendation of  
14 the faculty, may also confer honorary degrees upon persons other than  
15 graduates of this university in recognition of their learning or  
16 devotion to literature, art, or science: PROVIDED, That no degree  
17 shall ever be conferred in consideration of the payment of money or  
18 the giving of property of whatsoever kind.

19 (7) Accept such gifts, grants, conveyances, bequests, and  
20 devises, whether real or personal property, or both, in trust or  
21 otherwise, for the use or benefit of the university, its colleges,  
22 schools, departments, or agencies; and sell, lease or exchange,  
23 invest or expend the same or the proceeds, rents, profits, and income  
24 thereof except as limited by the terms of said gifts, grants,  
25 conveyances, bequests, and devises. The board shall adopt proper  
26 rules to govern and protect the receipt and expenditure of the  
27 proceeds of all fees, and the proceeds, rents, profits, and income of  
28 all gifts, grants, conveyances, bequests, and devises above-  
29 mentioned.

30 (8) Except as otherwise provided by law, to enter into such  
31 contracts as the regents deem essential to university purposes.

32 (9) To submit upon request such reports as will be helpful to the  
33 governor and to the legislature in providing for the institution.

34 (10) To offer new degree programs, offer off-campus programs,  
35 participate in consortia or centers, contract for off-campus  
36 educational programs, and purchase or lease major off-campus  
37 facilities in accordance with RCW 28B.77.080.

38 (11) To confer honorary degrees upon persons who request an  
39 honorary degree if they were students at the university in 1942 and  
40 did not graduate because they were ordered into an internment camp.

1 The honorary degree may also be requested by a representative of  
2 deceased persons who meet these requirements. For the purposes of  
3 this subsection, "internment camp" means a relocation center to which  
4 persons were ordered evacuated by Presidential Executive Order 9066,  
5 signed February 19, 1942.

6 **Sec. 2.** RCW 28B.30.150 and 2012 c 229 s 805 are each amended to  
7 read as follows:

8 The regents of Washington State University, in addition to other  
9 duties prescribed by law, shall:

10 (1) Have full control of the university and its property of  
11 various kinds, except as otherwise provided by law.

12 (2) Employ the president of the university, his or her  
13 assistants, members of the faculty, and employees of the university,  
14 who, except as otherwise provided by law, shall hold their positions  
15 during the pleasure of said board of regents. Compensation for the  
16 president and any chancellors of the university may not include  
17 bonuses or other incentives, including retention incentives, that are  
18 more than twenty percent of their base salaries or that are awarded  
19 more than once in any four-year period.

20 (3) Establish entrance requirements for students seeking  
21 admission to the university which meet or exceed the standards  
22 specified under RCW 28B.77.020. Completion of examinations  
23 satisfactory to the university may be a prerequisite for entrance by  
24 any applicant, at the university's discretion. Evidence of completion  
25 of public high schools and other educational institutions whose  
26 courses of study meet the approval of the university may be  
27 acceptable for entrance.

28 (4) Establish such colleges, schools, or departments necessary to  
29 carry out the purpose of the university and not otherwise proscribed  
30 by law.

31 (5) Offer new degree programs, offer off-campus programs,  
32 participate in consortia or centers, contract for off-campus  
33 educational programs, and purchase or lease major off-campus  
34 facilities in accordance with RCW 28B.77.080.

35 (6) With the assistance of the faculty of the university,  
36 prescribe the courses of instruction in the various colleges,  
37 schools, and departments of the institution and publish the necessary  
38 catalogues thereof.

1 (7) Collect such information as the board deems desirable as to  
2 the schemes of technical instruction adopted in other parts of the  
3 United States and foreign countries.

4 (8) Provide for holding agricultural institutes including farm  
5 marketing forums.

6 (9) Provide that instruction given in the university, as far as  
7 practicable, be conveyed by means of laboratory work and provide in  
8 connection with the university one or more physical, chemical, and  
9 biological laboratories, and suitably furnish and equip the same.

10 (10) Provide training in military tactics for those students  
11 electing to participate therein.

12 (11) Establish a department of elementary science and in  
13 connection therewith provide instruction in elementary mathematics,  
14 including elementary trigonometry, elementary mechanics, elementary  
15 and mechanical drawing, and land surveying.

16 (12) Establish a department of agriculture and in connection  
17 therewith provide instruction in physics with special application of  
18 its principles to agriculture, chemistry with special application of  
19 its principles to agriculture, morphology and physiology of plants  
20 with special reference to common grown crops and fungus enemies,  
21 morphology and physiology of the lower forms of animal life, with  
22 special reference to insect pests, morphology and physiology of the  
23 higher forms of animal life and in particular of the horse, cow,  
24 sheep, and swine, agriculture with special reference to the breeding  
25 and feeding of livestock and the best mode of cultivation of farm  
26 produce, and mining and metallurgy, appointing demonstrators in each  
27 of these subjects to superintend the equipment of a laboratory and to  
28 give practical instruction therein.

29 (13) Establish agricultural experiment stations in connection  
30 with the department of agriculture, including at least one in the  
31 western portion of the state, and appoint the officers and prescribe  
32 regulations for their management.

33 (14) Grant to students such certificates or degrees, as  
34 recommended for such students by the faculty.

35 (15) Confer honorary degrees upon persons other than graduates of  
36 the university in recognition of their learning or devotion to  
37 literature, art, or science when recommended thereto by the faculty:  
38 PROVIDED, That no degree shall ever be conferred in consideration of  
39 the payment of money or the giving of property of whatsoever kind.

1           (16) Adopt plans and specifications for university buildings and  
2 facilities or improvements thereto and employ skilled architects and  
3 engineers to prepare such plans and specifications and supervise the  
4 construction of buildings or facilities which the board is authorized  
5 to erect, and fix the compensation for such services. The board shall  
6 enter into contracts with one or more contractors for such suitable  
7 buildings, facilities, or improvements as the available funds will  
8 warrant, upon the most advantageous terms offered at a public  
9 competitive letting, pursuant to public notice under rules  
10 established by the board. The board shall require of all persons with  
11 whom they contract for construction and improvements a good and  
12 sufficient bond for the faithful performance of the work and full  
13 protection against all liens.

14           (17) Except as otherwise provided by law, direct the disposition  
15 of all money appropriated to or belonging to the state university.

16           (18) Receive and expend the money appropriated under the act of  
17 congress approved May 8, 1914, entitled "An Act to provide for  
18 cooperative agricultural extension work between the agricultural  
19 colleges in the several States receiving the benefits of the Act of  
20 Congress approved July 2, 1862, and Acts supplemental thereto and the  
21 United States Department of Agriculture" and organize and conduct  
22 agricultural extension work in connection with the state university  
23 in accordance with the terms and conditions expressed in the acts of  
24 congress.

25           (19) Except as otherwise provided by law, to enter into such  
26 contracts as the regents deem essential to university purposes.

27           (20) Acquire by lease, gift, or otherwise, lands necessary to  
28 further the work of the university or for experimental or  
29 demonstrational purposes.

30           (21) Establish and maintain at least one agricultural experiment  
31 station in an irrigation district to conduct investigational work  
32 upon the principles and practices of irrigational agriculture  
33 including the utilization of water and its relation to soil types,  
34 crops, climatic conditions, ditch and drain construction, fertility  
35 investigations, plant disease, insect pests, marketing, farm  
36 management, utilization of fruit by-products, and general development  
37 of agriculture under irrigation conditions.

38           (22) Supervise and control the agricultural experiment station at  
39 Puyallup.

1           (23) Establish and maintain at Wenatchee an agricultural  
2 experiment substation for the purpose of conducting investigational  
3 work upon the principles and practices of orchard culture, spraying,  
4 fertilization, pollenization, new fruit varieties, fruit diseases and  
5 pests, by-products, marketing, management, and general horticultural  
6 problems.

7           (24) Accept such gifts, grants, conveyances, devises, and  
8 bequests, whether real or personal property, in trust or otherwise,  
9 for the use or benefit of the university, its colleges, schools, or  
10 departments; and sell, lease or exchange, invest or expend the same  
11 or the proceeds, rents, profits, and income thereof except as limited  
12 by the terms of said gifts, grants, conveyances, bequests, and  
13 devises; and adopt proper rules to govern and protect the receipt and  
14 expenditure of the proceeds of all fees, and the proceeds, rents,  
15 profits, and income of all gifts, grants, conveyances, bequests, and  
16 devises.

17           (25) Construct when the board so determines a new foundry and a  
18 mining, physical, technological building, and fabrication shop at the  
19 university, or add to the present foundry and other buildings, in  
20 order that both instruction and research be expanded to include  
21 permanent molding and die casting with a section for new fabricating  
22 techniques, especially for light metals, including magnesium and  
23 aluminum; purchase equipment for the shops and laboratories in  
24 mechanical, electrical, and civil engineering; establish a pilot  
25 plant for the extraction of alumina from native clays and other  
26 possible light metal research; purchase equipment for a research  
27 laboratory for technological research generally; and purchase  
28 equipment for research in electronics, instrumentation, energy  
29 sources, plastics, food technology, mechanics of materials,  
30 hydraulics, and similar fields.

31           (26) Make and transmit to the governor and members of the  
32 legislature upon request such reports as will be helpful in providing  
33 for the institution.

34           (27) Confer honorary degrees upon persons who request an honorary  
35 degree if they were students at the university in 1942 and did not  
36 graduate because they were ordered into an internment camp. The  
37 honorary degree may also be requested by a representative of deceased  
38 persons who meet these requirements. For the purposes of this  
39 subsection, "internment camp" means a relocation center to which

1 persons were ordered evacuated by Presidential Executive Order 9066,  
2 signed February 19, 1942.

3 **Sec. 3.** RCW 28B.35.120 and 2012 c 229 s 809 are each amended to  
4 read as follows:

5 In addition to any other powers and duties prescribed by law,  
6 each board of trustees of the respective regional universities:

7 (1) Shall have full control of the regional university and its  
8 property of various kinds, except as otherwise provided by law.

9 (2) Shall employ the president of the regional university, his or  
10 her assistants, members of the faculty, and other employees of the  
11 institution, who, except as otherwise provided by law, shall hold  
12 their positions, until discharged therefrom by the board for good and  
13 lawful reason. Compensation for the president and any chancellors of  
14 the regional university may not include bonuses or other incentives,  
15 including retention incentives, that are more than twenty percent of  
16 their base salaries or that are awarded more than once in any four-  
17 year period.

18 (3) With the assistance of the faculty of the regional  
19 university, shall prescribe the course of study in the various  
20 schools and departments thereof and publish such catalogues thereof  
21 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) May establish such divisions, schools, or departments  
26 necessary to carry out the purposes of the regional university and  
27 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 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  
34 supplies and purchase or lease equipment and other personal property  
35 needed for the operation or maintenance of the regional university.

36 (8) May establish, lease, operate, equip, and maintain self-  
37 supporting facilities in the manner provided in RCW 28B.10.300  
38 through 28B.10.330, as now or hereafter amended.

1 (9) Except as otherwise provided by law, shall enter into such  
2 contracts as the trustees deem essential to regional university  
3 purposes.

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

13 (11) In accordance with RCW 28B.77.080, may offer new degree  
14 programs, offer off-campus programs, participate in consortia or  
15 centers, contract for off-campus educational programs, and purchase  
16 or lease major off-campus facilities.

17 (12) May promulgate such rules and regulations, and perform all  
18 other acts not forbidden by law, as the board of trustees may in its  
19 discretion deem necessary or appropriate to the administration of the  
20 regional university.

21 **Sec. 4.** RCW 28B.40.120 and 2012 c 229 s 813 are each amended to  
22 read as follows:

23 In addition to any other powers and duties prescribed by law, the  
24 board of trustees of The Evergreen State College:

25 (1) Shall have full control of the state college and its property  
26 of various kinds, except as otherwise provided by law.

27 (2) Shall employ the president of the state college, his or her  
28 assistants, members of the faculty, and other employees of the  
29 institution, who, except as otherwise provided by law, shall hold  
30 their positions, until discharged therefrom by the board for good and  
31 lawful reason. Compensation for the president and any chancellors of  
32 the state college may not include bonuses or other incentives,  
33 including retention incentives, that are more than twenty percent of  
34 their base salaries or that are awarded more than once in any four-  
35 year period.

36 (3) With the assistance of the faculty of the state college,  
37 shall prescribe the course of study in the various schools and  
38 departments thereof and publish such catalogues thereof as the board  
39 deems necessary: PROVIDED, That the Washington professional educator



1 standards board shall determine the requisites for and give program  
2 approval of all courses leading to teacher certification by such  
3 board.

4 (4) May establish such divisions, schools, or departments  
5 necessary to carry out the purposes of the college and not otherwise  
6 proscribed by law.

7 (5) Except as otherwise provided by law, may establish and erect  
8 such new facilities as determined by the board to be necessary for  
9 the college.

10 (6) May acquire real and other property as provided in RCW  
11 28B.10.020, as now or hereafter amended.

12 (7) Except as otherwise provided by law, may purchase all  
13 supplies and purchase or lease equipment and other personal property  
14 needed for the operation or maintenance of the college.

15 (8) May establish, lease, operate, equip, and maintain self-  
16 supporting facilities in the manner provided in RCW 28B.10.300  
17 through 28B.10.330, as now or hereafter amended.

18 (9) Except as otherwise provided by law, shall enter into such  
19 contracts as the trustees deem essential to college purposes.

20 (10) May receive such gifts, grants, conveyances, devises, and  
21 bequests of real or personal property from whatsoever source, as may  
22 be made from time to time, in trust or otherwise, whenever the terms  
23 and conditions thereof will aid in carrying out the college programs;  
24 sell, lease, or exchange, invest or expend the same or the proceeds,  
25 rents, profits, and income thereof except as limited by the terms and  
26 conditions thereof; and adopt regulations to govern the receipt and  
27 expenditure of the proceeds, rents, profits, and income thereof.

28 (11) In accordance with RCW 28B.77.080, may offer new degree  
29 programs, offer off-campus programs, participate in consortia or  
30 centers, contract for off-campus educational programs, and purchase  
31 or lease major off-campus facilities.

32 (12) May promulgate such rules and regulations, and perform all  
33 other acts not forbidden by law, as the board of trustees may in its  
34 discretion deem necessary or appropriate to the administration of the  
35 college.

36 NEW SECTION. **Sec. 5.** This act applies to contracts entered into  
37 or renewed on or after the effective date of this section.

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