

CHAPTER 214.

[H. B. 304.]

WESTERN REGIONAL HIGHER EDUCATION COMPACT.

AN ACT relating to higher education, ratifying a compact between this and other states or territories; providing for commissioners; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The western regional higher education compact, recommended by the western governors' conference on November 10, 1950, for adoption by the states or territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska and Hawaii, is hereby ratified and approved and the adherence of this state to the provisions of this compact, upon its ratification and approval by any four or more of such states or territories in addition to this state, is hereby declared.

Western regional higher education compact ratified.

SEC. 2. The terms and provisions of the compact referred to in section 1 of this act are as follows:

Terms and provisions.

WESTERN REGIONAL HIGHER EDUCATION COMPACT

ARTICLE I

WHEREAS, The future of this Nation and of the Western States is dependent upon the quality of the education of its youth; and

Quality of education.

WHEREAS, Many of the Western States individually do not have sufficient numbers of potential students to warrant the establishment and maintenance within their borders of adequate facilities in all the essential fields of technical, professional and graduate training, nor do all of the states have the financial ability to furnish within their borders institutions capable of providing acceptable standards of training in all of the fields mentioned above; and

Lack of potential students.

Financial problem.

WHEREAS, It is believed that the Western States,

or group of such states within the Region, cooperatively can provide acceptable and efficient educational facilities to meet the needs of the Region and of the students thereof;

Now, THEREFORE, The States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and the Territories of Alaska and Hawaii, do hereby covenant and agree as follows:

ARTICLE II

Pledge cooperation.

Each of the compacting states and territories pledge to each of the other compacting states and territories faithful cooperation in carrying out all the purposes of this compact.

ARTICLE III

Western Interstate Commission for Higher Education.

The compacting states and territories hereby create the Western Interstate Commission for Higher Education, hereinafter called the Commission. Said Commission shall be a body corporate of each compacting state and territory and an agency thereof. The Commission shall have all the powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states and territories.

Powers.

ARTICLE IV

Commission membership.

The Commission shall consist of three resident members from each compacting state or territory. At all times one commissioner from each compacting state or territory shall be an educator engaged in the field of higher education in the state or territory from which he is appointed.

Educator.

Commissioners appointment by governor.

The commissioners from each state and territory shall be appointed by the governor thereof as provided by law in such state or territory. Any commissioner may be removed or suspended from office

as provided by the law of the state or territory from which he shall have been appointed.

The term of each commissioner shall be four years: *Provided, however,* That the first three commissioners shall be appointed as follows: one for two years, one for three years, and one for four years. Each commissioner shall hold office until his successor shall be appointed and qualified. If any office becomes vacant for any reason, the governor shall appoint a commissioner to fill the office for the remainder of the unexpired term.

Commissioner's term.

ARTICLE V

Any business transacted at any meeting of the Commission must be by affirmative vote of a majority of the whole number of compacting states and territories.

Affirmative vote of majority.

One or more commissioners from a majority of the compacting states and territories shall constitute a quorum for the transaction of business.

Quorum.

Each compacting state and territory represented at any meeting of the Commission is entitled to one vote.

Each state or territory one vote.

ARTICLE VI

The Commission shall elect from its number a chairman and a vice-chairman, and may appoint, and at its pleasure dismiss or remove, such officers, agents and employees as may be required to carry out the purpose of this compact; and shall fix and determine their duties, qualifications and compensation, having due regard for the importance of the responsibilities involved.

Commission officers.

The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the Commission.

Compensation.

ARTICLE VII

Seal, by-laws, rules and regulations.

The Commission shall adopt a seal and bylaws and shall adopt and promulgate rules and regulations for its management and control.

Committees.

The Commission may elect such committees as it deems necessary for the carrying out of its functions.

Commission office.

The Commission shall establish and maintain an office within one of the compacting states for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chairman may call such additional meetings and upon the request of a majority of the commissioners of three or more compacting states or territories shall call additional meetings.

Meetings.

The Commission shall submit a budget to the governor of each compacting state and territory at such time and for such period as may be required.

Commission budget.

The Commission shall, after negotiations with interested institutions, determine the cost of providing the facilities for graduate and professional education for use in its contractual agreements throughout the Region.

Facilities for graduate and professional education.

On or before the fifteenth day of January of each year, the Commission shall submit to the governors and legislatures of the compacting states and territories a report of its activities for the preceding calendar year.

Commission report.

The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by the governor of any compacting state or territory or his designated representative. The Commission shall not be subject to the audit and accounting procedure of any of the compacting states or territories. The Commission shall provide for an independent annual audit.

Books of account.

Audit.

ARTICLE VIII

It shall be the duty of the Commission to enter into such contractual agreements with any institutions in the Region offering graduate or professional education and with any of the compacting states or territories as may be required in the judgment of the Commission to provide adequate services and facilities of graduate and professional education for the citizens of the respective compacting states or territories. The Commission shall first endeavor to provide adequate services and facilities in the fields of dentistry, medicine, public health and veterinary medicine, and may undertake similar activities in other professional and graduate fields.

Contractual agreements.

Dentistry, medicine, public health, and veterinary medicine.

For this purpose the Commission may enter into contractual agreements

(a) with the governing authority of any educational institution in the Region, or with any compacting state or territory to provide such graduate or professional educational services upon terms and conditions to be agreed upon between contracting parties and

Provide educational services.

(b) with the governing authority of any educational institution in the Region or with any compacting state or territory to assist in the placement of graduate or professional students in educational institutions in the Region providing the desired services and facilities, upon such terms and conditions as the Commission may prescribe.

Placement of students.

It shall be the duty of the Commission to undertake studies of needs for professional and graduate educational facilities in the Region, the resources of meeting such needs, and the long-range effects of the compact on higher education; and from time to time prepare comprehensive reports on such research for presentation to the Western Governors' Conference and to the legislatures of the compacting states and territories. In conducting such studies, the

Studies of needs, resources and effects of compact on higher education.

Draft and recommend uniform legislation.

Commission may confer with any national or regional planning body which may be established. The Commission shall draft and recommend to the governors of the various compacting states and territories, uniform legislation dealing with problems of higher education in the Region.

"Region" defined.

For the purposes of this compact the word "Region" shall be construed to mean the geographical limits of the several compacting states and territories.

ARTICLE IX

Operating cost.

The operating costs of the Commission shall be apportioned equally among the compacting states and territories.

ARTICLE X

Compact operative.

This compact shall become operative and binding immediately as to those states and territories adopting it whenever five or more of the states or territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska and Hawaii have duly adopted it prior to July 1, 1955. This compact shall become effective as to any additional states or territories adopting thereafter at the time of such adoption.

ARTICLE XI

Termination of compact.

This compact may be terminated at any time by consent of a majority of the compacting states or territories. Consent shall be manifested by passage and signature in the usual manner of legislation expressing such consent by the legislature and governor of such terminating state. Any state or territory may at any time withdraw from this compact by means of appropriate legislation to that end. Such withdrawal shall not become effective until two years after written notice thereof by the governor of the withdrawing state or territory accompanied by a

Withdrawal.

certified copy of the requisite legislative action is received by the Commission. Such withdrawal shall not relieve the withdrawing state or territory from its obligations hereunder accruing prior to the effective date of withdrawal. The withdrawing state or territory may rescind its action of withdrawal at any time within the two-year period. Thereafter the withdrawing state or territory may be reinstated by application to and the approval by a majority vote of the Commission.

Withdrawal
rescinded.

Reinstatement.

ARTICLE XII

If any compacting state or territory shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder, shall be suspended from the effective date of such default as fixed by the commission.

Default in
obligations.

Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state or territory by affirmative vote of three-fourths of the other member states or territories.

Termination
by default.

Any such defaulting state may be reinstated by (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and the approval by a majority vote of the Commission.

Reinstatement
of defaulting
state.

SEC. 3. Upon ratification and approval of the western regional higher education compact by any four or more of the specified states or territories in addition to this state, the governor of this state is authorized and directed to execute said compact on behalf of this state and to perform any other acts which may be deemed requisite to its formal ratification and promulgation.

Governor to
execute
compact.

SEC. 4. (a) The governor, with the advice and

Governor appoints members.

consent of the senate, shall appoint the members, for this state, of the Western Interstate Commission for Higher Education, which is created under the provisions of Article III of the western regional higher education compact.

Qualifications and terms of members.

(b) The qualifications and terms of office of the members of the commission for this state shall conform with the provisions of Article IV of said compact.

Serve without compensation.

(c) The commissioners shall serve without compensation and they shall be reimbursed for their actual and necessary expenses by the Western Interstate Commission for Higher Education.

Governor may remove member.

(d) The governor may remove a member of the commission in conformity with the provisions of RCW 43.06.070, 43.06.080 and 43.06.090.

Exemption from tuition fees for nonresident student.

SEC. 5. When said compact becomes operative the board of regents of each institution of higher learning in this state, to the extent necessary to conform with the terms of the contractual agreement, may exempt from payment of tuition fees established by law for non-resident students any student admitted to such institution under the terms of a contractual agreement entered into with the commission in accord with the provisions of Article VIII (a) of the compact.

Appropriation.

SEC. 6. There is hereby appropriated from the general fund to the office of the governor the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary, to be distributed on vouchers approved by the governor, for the purpose of defraying this state's portion of the operating costs of the Western Interstate Commission for Higher Education in conformity with the provisions of Article IX of said compact.

Passed the House March 3, 1955.

Passed the Senate March 2, 1955.

Approved by the Governor March 17, 1955.