

NEW SECTION. Sec. 9. A new section is added to chapter 36.82 RCW to read as follows:

Whenever a county legislative authority enters into a cooperative agreement with a conservation district as provided in chapter 89.08 RCW, the agreement may specify that the county will participate in the cost of any project which can be anticipated to result in a substantial reduction of the amount of soil deposited in a specifically described roadside ditch normally maintained by the county. The amount of participation by the county through the county road fund shall not exceed fifty percent of the project cost and shall be limited to those engineering and construction costs incurred during the initial construction or reconstruction of the project.

NEW SECTION. Sec. 10. A new section is added to chapter 36.88 RCW to read as follows:

If the county legislative authority desires to initiate the formation of a county road improvement district by resolution, it may elect to follow either the procedure set forth in chapter 35.43 RCW or the procedure set forth in RCW 36.88.030, and shall indicate the procedure selected in the resolution of intention.

Passed the Senate April 23, 1985.

Passed the House April 15, 1985.

Approved by the Governor May 20, 1985.

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CHAPTER 370

[Engrossed Substitute Senate Bill No. 3376]

HIGHER EDUCATION COORDINATING BOARD

AN ACT Relating to governance in higher education; amending RCW 28B.80.110, 28B.80.150, 28B.80.160, 28B.80.170, 28B.80.200, 28B.80.210, 28B.80.230, 28B.80.240, 28B.80.250, 28B.80.260, 28B.80.270, 28B.80.280, 28A.58.824, 28A.58.826, 28A.58.828, 28A.58.830, 28B.04.020, 28B.04.030, 28B.04.040, 28B.04.050, 28B.04.060, 28B.04.070, 28B.04.080, 28B.04.110, 28B.05.030, 28B.05.050, 28B.05.130, 28B.07.020, 28B.07.030, 28B.07.040, 28B.10.020, 28B.10.215, 28B.10.220, 28B.10.650, 28B.10.790, 28B.10.792, 28B.10.802, 28B.10.840, 28B.12.040, 28B.12.050, 28B.12.060, 28B.12.070, 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.543, 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.736, 28B.15.750, 28B.15.752, 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.760, 28B.15.762, 28B.15.764, 28B.20.280, 28B.30.500, 28B.35.205, 28B.40.206, 28B.65.040, 28B.65.050, 28B.65.060, 28C.04.040, 28C.04.510, 28B.10.050, 28B.20.130, 28B.30.150, 28B.35.120, 28B.40.120, and 28B.50.140; amending section 6, chapter 166, Laws of 1983 (uncodified); adding new sections to chapter 28B.80 RCW; adding new sections to Title 28B RCW; creating new sections; repealing RCW 28B.40.240, 28B.40.244, 28B.10.045, 28B.10.052, 28B.80.010, 28B.80.020, 28B.80.030, 28B.80.035, 28B.80.040, 28B.80.050, 28B.80.060, 28B.80.070, 28B.80.080, 28B.80.090, 28B.80.120, 28B.80.220, 28B.80.900, 43.131.259, and 43.131.260; providing effective dates; and declaring an emergency.

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

NEW SECTION. Sec. 1. There is hereby created the Washington higher education coordinating board.

NEW SECTION. Sec. 2. For the purposes of this chapter:

- (1) "Board" means the higher education coordinating board; and
- (2) "Four-year institutions" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College.

NEW SECTION. Sec. 3. The purpose of the board is to provide planning, coordination, monitoring, and policy analysis for higher education in the state of Washington in cooperation and consultation with the institutions' autonomous governing boards and with all other segments of postsecondary education, including but not limited to the state board for community college education and the commission for vocational education. The legislature intends that the board represent the broad public interest above the interests of the individual colleges and universities.

NEW SECTION. Sec. 4. The board shall perform the following planning duties in consultation with the four-year institutions, the community college system, and when appropriate the commission for vocational education, the superintendent of public instruction for the vocational-technical institutes, and the independent higher educational institutions:

(1) Develop and establish role and mission statements for each of the four-year institutions and for the community college system;

(2) Identify the state's higher education goals, objectives, and priorities;

(3) Prepare a comprehensive master plan which includes but is not limited to:

(a) Assessments of the state's higher education needs. These assessments may include, but are not limited to: The basic and continuing needs of various age groups; business and industrial needs for a skilled workforce; analyses of demographic, social, and economic trends; consideration of the changing ethnic composition of the population and the special needs arising from such trends; college attendance, retention, and dropout rates, and the needs of recent high school graduates and placebound adults. The board should consider the needs of residents of all geographic regions, but its initial priorities should be applied to heavily populated areas underserved by public institutions;

(b) Recommendations on enrollment and other policies and actions to meet those needs;

(c) Guidelines for continuing education, adult education, public service, and other higher education programs.

The initial plan shall be submitted to the governor and the legislature by December 1, 1987. Comments on the plan from the board's advisory committees and the institutions shall be submitted with the plan.

The plan shall be updated biennially, and presented to the governor and the appropriate legislative policy committees. Following public hearings, the legislature shall, by concurrent resolution, approve or recommend changes to the initial plan, and the biennial updates. The plan shall then become state higher education policy unless legislation is enacted to alter the policies set forth in the plan;

(4) Review, evaluate, and make recommendations on operating and capital budget requests from four-year institutions and the community college system, based on the elements outlined in subsections (1), (2), and (3) of this section, and on guidelines which outline the board's fiscal priorities. These guidelines shall be distributed to the institutions and the community college board by December of each odd-numbered year. The institutions and the community college board shall submit an outline of their proposed budgets, identifying major components, to the board no later than August 1 of each even-numbered year. The board shall submit recommendations on the proposed budgets and on the board's budget priorities to the office of financial management before October 15 of each even-numbered year, and to the legislature by January 1 of each odd-numbered year;

(5) Recommend legislation affecting higher education;

(6) Recommend tuition and fees policies and levels based on comparisons with peer institutions;

(7) Establish priorities and develop recommendations on financial aid based on comparisons with peer institutions;

(8) Prepare recommendations on merging or closing institutions; and

(9) Develop criteria for identifying the need for new baccalaureate institutions.

NEW SECTION. Sec. 5. The board shall perform the following program responsibilities, in consultation with the institutions and with other interested agencies and individuals:

(1) Approve the creation of any new degree programs at the four-year institutions and prepare fiscal notes on any such programs;

(2) Review, evaluate, and make recommendations for the modification, consolidation, initiation, or elimination of on-campus programs, at the four-year institutions;

(3) Review and evaluate and approve, modify, consolidate, initiate, or eliminate off-campus programs at the four-year institutions;

(4) Approve, and adopt guidelines for, higher education centers and consortia;

(5) Approve purchase or lease of major off-campus facilities for the four-year institutions and the community colleges;

(6) Establish campus service areas and define on-campus and off-campus activities and major facilities; and

(7) Approve contracts for off-campus educational programs initiated by the state's four-year institutions individually, in concert with other public institutions, or with independent institutions.

NEW SECTION. Sec. 6. The board shall coordinate educational activities among all segments of higher education taking into account the educational programs, facilities, and other resources of both public and independent two and four-year colleges and universities. The four-year institutions, the state board for community college education, and the commission for vocational education shall coordinate information and activities with the board. The board shall have the following additional responsibilities:

- (1) Promote interinstitutional cooperation;
- (2) Establish minimum admission standards for four-year institutions;
- (3) Establish transfer policies;
- (4) Adopt rules implementing statutory residency requirements;
- (5) Develop and administer reciprocity agreements with bordering states and the province of British Columbia;
- (6) Review and recommend compensation practices and levels for administrative employees, exempt under chapter 28B.16 RCW, and faculty using comparative data from peer institutions;
- (7) Monitor higher education activities for compliance with all relevant state policies for higher education;
- (8) Arbitrate disputes between and among four-year institutions or between and among four-year institutions and community colleges at the request of one or more of the institutions involved, or at the request of the governor, or from a resolution adopted by the legislature. The decision of the board shall be binding on the participants in the dispute;
- (9) Establish and implement a state system for collecting, analyzing, and distributing information;
- (10) Recommend to the governor and the legislature ways to remove any economic incentives to use off-campus program funds for on-campus activities; and
- (11) Make recommendations to increase minority participation, and monitor and report on the progress of minority participation in higher education.

NEW SECTION. Sec. 7. The board shall perform the following administrative responsibilities:

- (1) Administer the programs set forth in the following statutes: Chapter 28A.58 RCW (Washington scholars); chapter 28B.04 RCW (displaced homemakers); chapter 28B.05 RCW (education registration); RCW 28B.10.210 through 28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid program); chapter 28B.12 RCW (work study); RCW 28B.15.067 through 28B.15.076 (educational costs for establishing tuition and fees); RCW 28B.15.543 (tuition waivers for

Washington scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.80.150 through 28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid programs); and RCW 28B.80.210 (federal programs).

(2) Study the delegation of the administration of the following: RCW 28B.65.040 through 28B.65.060 (high technology board); RCW 28B.80.150 through 28B.80.170 (student exchange compact programs); RCW 28B.80-.200 (state commission for federal law purposes); RCW 28B.80.210 (enumerated federal programs); RCW 28B.80.230 (receipt of federal funds); RCW 28B.80.240 (student financial aid programs); RCW 28A.58.824 through 28A.58.832 (Washington scholars); RCW 28B.15.543 (Washington scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers); RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790, 28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid); RCW 28B.12.040 through 28B.12.070 (student work study); RCW 28B-.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); and RCW 28B.15.760 through 28B.15.764 (math/science loans). The board shall report the results of its study and recommendations to the legislature.

NEW SECTION. Sec. 8. The board shall have authority to adopt rules as necessary to implement this chapter.

NEW SECTION. Sec. 9. The board shall establish advisory committees composed of members representing faculty, administrators, students, regents and trustees, and staff of the public institutions, the superintendent of public instruction, and the independent institutions.

NEW SECTION. Sec. 10. The board shall consist of nine members who are representative of the public, including women and the racial minority community. All members shall be appointed at large by the governor and approved by the senate. The governor shall appoint the chair, who shall serve at the governor's pleasure.

NEW SECTION. Sec. 11. The members of the board, except the chair, shall serve for terms of four years, the terms expiring on June 30th of the fourth year of the term except that in the case of initial members, two shall be appointed to two-year terms, three shall be appointed to three-year terms, and three shall be appointed to four-year terms.

NEW SECTION. Sec. 12. Any vacancies among board members shall be filled by the governor subject to confirmation by the senate then in session, or if not in session, at the next session. Board members appointed under this section shall have full authority to act as such prior to the time the senate acts on their confirmation. Appointments to fill vacancies shall be only for such terms as remain unexpired.

NEW SECTION. Sec. 13. The board shall adopt bylaws and shall meet at least four times each year and at such other times as determined by the chair who shall give reasonable prior notice to the members.

Board members are expected to consistently attend board meetings. The chair of the board may ask the governor to remove any member who misses more than two meetings in any calendar year without cause.

NEW SECTION. Sec. 14. The board shall employ a director and may delegate agency management to the director. The director shall serve at the pleasure of the board, shall be the executive officer of the board, and shall, under the board's supervision, administer the provisions of this chapter. The executive director shall, with the approval of the board: (1) Employ necessary deputy and assistant directors and other exempt staff under chapter 28B.16 RCW who shall serve at his or her pleasure on such terms and conditions as he or she determines and (2) subject to the provisions of chapter 28B.16 RCW, appoint and employ such other employees as may be required for the proper discharge of the functions of the board. In fulfilling the duties under this chapter, the board shall make extensive use of those state agencies with responsibility for implementing and supporting postsecondary education plans and policies including but not limited to appropriate legislative groups, the postsecondary education institutions, the office of financial management, the commission for vocational education, and the state board for community college education. Outside consulting and service agencies may also be employed. The board may compensate these groups and consultants in appropriate ways.

NEW SECTION. Sec. 15. All employees of the council for postsecondary education classified under chapter 28B.16 RCW are assigned to the board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state higher education personnel.

All employees of the council for postsecondary education exempt under chapter 28B.16 RCW and below the level of executive and deputy coordinator are assigned to the board to perform their usual duties upon the same terms as formerly. Such employees shall serve at the pleasure of and subject to the terms and conditions of the board or the director, if the authority is delegated to the director. By December 31, 1986, the director shall evaluate such employees.

Sec. 16. Section 12, chapter 277, Laws of 1969 ex. sess. as last amended by section 65, chapter 287, Laws of 1984 and RCW 28B.80.110 are each amended to read as follows:

Members of the ((council)) board shall be compensated in accordance with RCW 43.03.240 and shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 17. Section 3, chapter 4, Laws of 1974 ex. sess. and RCW 28B-80.150 are each amended to read as follows:

~~((In addition to the functions delegated to the council by RCW 28B-80.030,))~~ The ((council)) board is hereby specifically directed to develop such state plans as are necessary to coordinate the state of Washington's participation within the student exchange compact programs under the auspices of the Western Interstate Commission for Higher Education, as provided by chapter 28B.70 RCW. In addition to establishing such plans the ~~((council))~~ board shall designate the state certifying officer for student programs.

Sec. 18. Section 4, chapter 4, Laws of 1974 ex. sess. and RCW 28B-80.160 are each amended to read as follows:

In the development of any such plans as called for within RCW 28B-80.150, the ~~((council))~~ board shall use at least the following criteria:

(1) Students who are eligible to attend compact-authorized programs in other states shall meet the Washington residency requirements of chapter 28B.15 RCW prior to being awarded tuition assistance grants;

(2) If appropriations are insufficient to fund all students qualifying under subsection (1) ~~((hereof))~~ of this section, then the plans shall include criteria for student selection that would be in the best interest in meeting the state's educational needs, as well as recognizing the financial needs of students.

Sec. 19. Section 5, chapter 4, Laws of 1974 ex. sess. and RCW 28B-80.170 are each amended to read as follows:

The ~~((council))~~ board shall periodically advise the governor and the legislature of the policy implications of the state of Washington's participation in the Western Interstate Commission for Higher Education student exchange programs as they affect long-range planning for post-secondary education, together with recommendations on the most efficient way to provide high cost or special educational programs to Washington residents.

Sec. 20. Section 9, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.200 are each amended to read as follows:

The ~~((council))~~ higher education coordinating board is designated as the state commission as provided for in Section 1202 of the education amendments of 1972 (Public Law 92-318), as now or hereafter amended; and shall perform such functions as is necessary to comply with federal directives pertaining to the provisions of such law: PROVIDED, That notwithstanding the provisions of RCW 28B.80.050, all members of the ~~((council))~~ board shall have full voting powers in taking actions related to federal postsecondary educational planning functions as provided for in this section and RCW 28B.80.210 through 28B.80.240.

Sec. 21. Section 12, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.210 are each amended to read as follows:

The ~~((council))~~ board shall administer ~~((the following programs: Title IV-B and VI of the Higher Education Act of 1965; Title I of the Higher Education Facilities Act of 1963; and))~~ any ~~((other))~~ federal act pertaining to higher education which is not administered by another state agency.

Sec. 22. Section 14, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.230 are each amended to read as follows:

The ~~((council))~~ board is authorized to receive and expend federal funds and any private gifts or grants, such federal funds or private funds to be expended in accordance with the conditions contingent in such grant thereof.

Sec. 23. Section 15, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.240 are each amended to read as follows:

The ~~((council))~~ board shall administer any state program or state-administered federal program of student financial aid now or hereafter established.

Sec. 24. Section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250 are each amended to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

"Management employees" mean administrative exempt personnel of the ~~((council for postsecondary education))~~ higher education coordinating board who are specified by the ~~((council))~~ board as management.

Sec. 25. Section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260 are each amended to read as follows:

(1) The ~~((council))~~ board shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) The ~~((council))~~ board shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

Sec. 26. Section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270 are each amended to read as follows:

~~((Beginning on July 1, 1984,))~~ Management employees of the ((council)) board shall be subject to performance evaluation using the procedures developed under RCW 28B.80.260. Such employees may be granted merit increases in salary based on performance as determined by the ~~((council))~~ board for its employees.

Sec. 27. Section 1, chapter 304, Laws of 1983 and RCW 28B.80.280 are each amended to read as follows:

The ((council)) board shall, in cooperation with the state institutions of higher education and the state board for community college education, establish and maintain a state-wide transfer of credit policy and agreement. The policy and agreement shall, where feasible, include course and program descriptions consistent with state-wide interinstitutional guidelines. The institutions of higher education shall provide support and staff resources as necessary to assist in developing and maintaining this policy and agreement. The state-wide transfer of credit policy and agreement shall be effective beginning with the 1985-86 academic year. The ((council)) board shall report on developments toward that objective at ((both)) the ((1984 and 1985)) 1987 regular session((s)) of the legislature.

NEW SECTION. Sec. 28. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the council for postsecondary education shall be delivered to the custody of the higher education coordinating board. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the council for postsecondary education shall be made available to the higher education coordinating board. All funds, credits, or other assets held by the council for postsecondary education shall be assigned to the higher education coordinating board.

Any appropriations made to the council for postsecondary education shall, on the effective date of this section, be transferred and credited to the higher education coordinating board. The council for postsecondary education shall provide such funds as are necessary to the board for activities necessary to implement this act on its effective date.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 29. All rules and all pending business before the council for postsecondary education shall be continued and acted upon by the higher education coordinating board. All existing contracts and obligations shall remain in full force and shall be performed by the higher education coordinating board.

NEW SECTION. Sec. 30. The transfer of the powers, duties, and functions of the council for postsecondary education shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 31. If apportionments of budgeted funds are required because of the transfers directed by sections 15, 28, and 29 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of

these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

Sec. 32. Section 3, chapter 54, Laws of 1981 and RCW 28A.58.824 are each amended to read as follows:

The (~~council for postsecondary education~~) higher education coordinating board shall have the responsibility for administration of the Washington scholars program. The program will be developed cooperatively with the Washington association of secondary school principals, a voluntary professional association of secondary school principals. The cooperation of other state agencies and private organizations having interest and responsibility in public and private education shall be sought for planning assistance.

Sec. 33. Section 4, chapter 54, Laws of 1981 and RCW 28A.58.826 are each amended to read as follows:

The (~~council for postsecondary education~~) higher education coordinating board shall establish a planning committee to develop criteria for screening and selection of the Washington scholars each year in accordance with RCW 28A.58.822(1). It is the intent that these criteria shall emphasize scholastic achievement but not exclude such criteria as leadership ability and community contribution in final selection procedures. The Washington scholars planning committee shall have members from selected state agencies and private organizations having an interest and responsibility in education, including but not limited to, the state board of education, the office of superintendent of public instruction, the council of presidents, the state board for community college education, and the Washington friends of higher education.

Sec. 34. Section 5, chapter 54, Laws of 1981 and RCW 28A.58.828 are each amended to read as follows:

Each year on or before March 1st, the Washington association of secondary school principals shall submit to the (~~council for postsecondary education~~) higher education coordinating board the names of graduating senior high school students who have been identified and recommended to be outstanding in academic achievement by their school principals based on criteria to be established under RCW 28A.58.826.

Sec. 35. Section 6, chapter 54, Laws of 1981 and RCW 28A.58.830 are each amended to read as follows:

Washington scholars annually shall be selected from among the students so identified. The (~~council for postsecondary education~~) higher education coordinating board shall notify the students so designated, their high school principals, the legislators of their respective districts, and the governor when final selections have been made.

The ~~((council))~~ board, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the Washington scholars recipients. An awards ceremony at an appropriate time and place shall be planned by the ~~((council))~~ board in cooperation with the Washington association of secondary school principals, and with the approval of the governor.

Sec. 36. Section 2, chapter 73, Laws of 1979 as amended by section 1, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.020 are each amended to read as follows:

The legislature finds that homemakers are an unrecognized part of the work force who make an invaluable contribution to the strength, durability, and purpose of our state.

The legislature further finds that there is an increasing number of persons in this state who, having fulfilled a role as homemaker, find themselves "displaced" in their middle years through divorce, death of spouse, disability of spouse, or other loss of family income of a spouse. As a consequence, displaced homemakers are very often left with little or no income; they are ineligible for categorical welfare assistance; they are subject to the highest rate of unemployment of any sector of the work force; they face continuing discrimination in employment because of their age and lack of recent paid work experience; they are ineligible for unemployment insurance because they have been engaged in unpaid labor in the home; they are ineligible for social security benefits because they are too young, and many never qualify because they have been divorced from the family wage earner; they may have lost beneficiaries' rights under employer's pension and health plans through divorce or death of spouse; and they are often unacceptable to private health insurance plans because of their age.

It is the purpose of this chapter to establish guidelines under which the ~~((council for postsecondary education))~~ higher education coordinating board shall contract to establish multipurpose service centers and programs to provide necessary training opportunities, counseling, and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life.

Sec. 37. Section 3, chapter 73, Laws of 1979 and RCW 28B.04.030 are each amended to read as follows:

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

(1) ~~(("Council" means the council for postsecondary education))~~
"Board" means the higher education coordinating board.

(2) "Center" means a multipurpose service center for displaced homemakers as described in RCW 28B.04.040.

(3) "Program" means those programs described in RCW 28B.04.050 which provide direct, outreach, and information and training services which serve the needs of displaced homemakers.

(4) "Displaced homemaker" means an individual who:

- (a) Has worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis; and
- (b) Is not gainfully employed;
- (c) Needs assistance in securing employment; and
- (d) Has been dependent on the income of another family member but is no longer supported by that income, or has been dependent on federal assistance but is no longer eligible for that assistance, or is supported as the parent of minor children by public assistance or spousal support but whose children are within two years of reaching their majority.

Sec. 38. Section 4, chapter 73, Laws of 1979 as amended by section 2, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.040 are each amended to read as follows:

(1) The ~~((council))~~ board, in consultation with state and local governmental agencies, community groups, and local and national organizations concerned with displaced homemakers, shall receive applications and may contract with public or private nonprofit organizations to establish multi-purpose service centers for displaced homemakers. In determining sites and administering agencies or organizations for the centers, the ~~((council))~~ board shall consider the experience and capabilities of the public or private nonprofit organizations making application to provide services to a center.

(2) ~~((Not later than ninety days after June 7, 1979;))~~ The ~~((council))~~ board shall issue rules prescribing the standards to be met by each center in accordance with the policies set forth in this chapter. Continuing funds for the maintenance of each center shall be contingent upon the determination by the ~~((council))~~ board that the center is in compliance with the contractual conditions and with the rules prescribed by the ~~((council))~~ board.

Sec. 39. Section 5, chapter 73, Laws of 1979 as amended by section 3, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.050 are each amended to read as follows:

(1) Each center contracted for under this chapter shall include or provide information and referral to the following services:

- (a) Job counseling services which shall:
 - (i) Be specifically designed for displaced homemakers;
 - (ii) Counsel displaced homemakers with respect to appropriate job opportunities; and
 - (iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development;
- (b) Job training and job placement services which shall:
 - (i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which lead to gainful employment;

(ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors;

(c) Health counseling services, including referral to existing health programs, with respect to:

(i) General principles of preventative health care;

(ii) Health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Family health care and nutrition;

(iv) Alcohol and drug abuse; and

(v) Other related health care matters;

(d) Financial management services which provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans, and other related financial matters;

(e) Educational services, including:

(i) Outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Information about such other programs as are determined to be of interest and benefit to displaced homemakers by the ((~~council~~)) board;

(f) Legal counseling and referral services; and

(g) Outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the ((~~council~~)) board determines would be of interest and benefit to displaced homemakers.

(2) The staff positions of each multipurpose center contracted for in accordance with RCW 28B.04.040, including supervisory, technical, and administrative positions, shall, to the maximum extent possible, be filled by displaced homemakers.

Sec. 40. Section 6, chapter 73, Laws of 1979 as amended by section 4, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.060 are each amended to read as follows:

The ((~~council~~)) board may contract, where appropriate, with public or private nonprofit groups or organizations serving the needs of displaced homemakers for programs designed to:

(1) Provide direct services to displaced homemakers, including job counseling, job training and placement, health counseling, financial management, educational counseling, legal counseling, and referral services as described in RCW 28B.04.050;

(2) Provide state-wide outreach and information services for displaced homemakers; and

(3) Provide training opportunities for persons serving the needs of displaced homemakers, including those persons in areas not directly served by programs and centers established under this chapter.

Sec. 41. Section 7, chapter 73, Laws of 1979 as amended by section 5, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.070 are each amended to read as follows:

The ~~((council))~~ board shall submit to the legislature ~~((an evaluation at the end of the first two years and))~~ a biennial evaluation ~~((beginning))~~ in January ~~((1984))~~ of each even-numbered year. The evaluations may include recommendation for future programs as determined by the ~~((council))~~ board.

Sec. 42. Section 8, chapter 73, Laws of 1979 as amended by section 6, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.080 are each amended to read as follows:

(1) The ~~((council))~~ board shall consult and cooperate with the department of social and health services; the state board for community college education; the superintendent of public instruction; the commission for vocational education; the employment security department; the department of labor and industries; sponsoring agencies under the federal comprehensive employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as the ~~((council))~~ board deems appropriate to facilitate the coordination of centers established under this chapter with existing programs of a similar nature.

(2) Annually on July 1st, each agency listed in subsection (1) of this section shall submit a description of each service or program under its jurisdiction which would support the programs and centers established by this chapter and the funds available for such support.

(3) The ~~((council))~~ board shall serve as a clearinghouse for displaced homemaker information and resources and shall compile and disseminate state-wide information to the centers, related agencies, and interested persons upon request.

Sec. 43. Section 11, chapter 73, Laws of 1979 and RCW 28B.04.110 are each amended to read as follows:

The ~~((council))~~ board may, in carrying out this chapter, accept, use, and dispose of contributions of money, services, and property: PROVIDED, That funds generated within individual centers may be retained and utilized

by those centers. All moneys received by the ((~~council~~)) board or any employee thereof pursuant to this section shall be deposited in a depository approved by the state treasurer. Disbursements of such funds shall be on authorization of the ((~~council~~)) board or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control such funds shall be subject in all respects to chapter 43.88 RCW, but no appropriation shall be required to permit expenditure of such funds.

Sec. 44. Section 3, chapter 188, Laws of 1979 ex. sess. as amended by section 1, chapter 283, Laws of 1981 and RCW 28B.05.030 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter, unless the context clearly indicates to the contrary:

(1) "Educational institution" includes, but is not limited to, an academic, vocational, technical, home study, business, professional, or other school, institution, college, or university, or other organization or person not exempted under RCW 28B.05.040, offering educational credentials, instruction, or services primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for attainment of educational, professional, or vocational objectives.

(2) "To operate", means to establish, keep, or maintain any facility or location in this state where, from, or through which education is offered or educational credentials are offered or granted, and includes contracting for the performance of any such act.

(3) "To offer" includes, in addition to its usual meanings, to advertise, or publicize. "To offer" shall also mean to solicit or encourage any person, directly or indirectly, to perform the act described.

(4) "To grant" includes to award, issue, sell, confer, bestow, or give.

(5) "Education" or "educational services" includes but is not limited to, any class, course, or program of training, instruction, or study.

(6) "Chief administrative officer" means the person designated by the institution under RCW 28B.05.070.

(7) "Agent" means a person owning an interest in, employed by, or representing for remuneration an educational institution within or without this state, who enrolls or personally attempts to secure the enrollment in such school of a resident of this state, offers to award educational credentials for remuneration on behalf of any such school, or holds himself or herself out to residents of this state as representing an educational institution for any such purpose.

(8) "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.

(9) "Entity" includes but is not limited to a person, company, firm, society, association, partnership, corporation, and trust.

(10) "Degree granting institution" shall mean an educational institution, which offers educational credentials, instruction, or services prerequisite to or indicative of an academic or professional degree or certificate beyond the secondary level.

(11) "Private vocational school" shall mean an educational institution, the objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations which are not designated as professional or requiring a baccalaureate or higher degree.

(12) "Private nonvocational school" shall mean any educational institution that is not a "degree granting institution" or a "private vocational school."

(13) "Dual purpose institution" shall mean any educational institution which satisfies the definitions of both (a) "degree-granting institution" and (b) "private vocational school" or "private nonvocational school." Either the ((~~council for postsecondary education~~)) higher education coordinating board or the commission for vocational education may be selected by the "dual purpose institution" for purposes of complying with the requirements of RCW 28B.05.080, 28B.05.090, 28B.05.100 and 28B.05.110.

(14) "Agency" shall mean the ((~~council for postsecondary education~~)) higher education coordinating board in the case of degree granting institutions and the commission for vocational education in the case of private vocational schools and private nonvocational schools.

Sec. 45. Section 5, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.050 are each amended to read as follows:

The commission for vocational education with respect to private vocational schools, the ((~~council for postsecondary education~~)) higher education coordinating board with respect to degree granting institutions, shall:

(1) Establish more detailed criteria to implement the standards set forth in RCW 28B.05.060;

(2) Maintain a list of educational institutions registered in this state under this chapter, which list shall separately identify dual purpose institutions and be available to the public; upon the registration of a "dual purpose institution" insure that such registration is communicated to the council for postsecondary education and the commission for vocational education;

(3) Adopt reasonable rules and regulations in accordance with chapter 34.04 RCW, the administrative procedure act, for enforcing and carrying out the provisions and purposes of this chapter;

(4) Investigate on its own initiative or in response to any complaint filed with it, any person, group, or entity subject to, or reasonably believed by the agency to be subject to, the jurisdiction of this chapter; and in connection therewith, to administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence and require the production of any

books, papers, correspondence, memorandums, or other records which the agency deems relevant or material to such investigation;

(5) Coordinate the policies and rules developed under subsections (1) and (3) of this section so as to develop where possible consistent procedures and standards applicable to degree-granting institutions, private vocational school, and dual purpose institutions.

Sec. 46. Section 13, chapter 188, Laws of 1979 ex. sess. as amended by section 3, chapter 283, Laws of 1981 and RCW 28B.05.130 are each amended to read as follows:

The executive director or executive coordinator of the agency may suspend or modify any of the registration or other requirements contained in this chapter in a particular case if the executive director or executive coordinator finds (1) that such suspension or modification will not frustrate the purposes of this chapter and (2) that the educational services to be offered address a substantial, demonstrated need among residents of the state of Washington or that literal application of this chapter works a manifestly unreasonable hardship on the educational institution: PROVIDED, That the chief administrative officer of the institution, after hearing, shall be entitled to appeal the decision of the executive director or executive coordinator to the commission for vocational education or the (~~(council for postsecondary education)~~) higher education coordinating board.

Sec. 47. Section 2, chapter 169, Laws of 1983 and RCW 28B.07.020 are each amended to read as follows:

As used in this chapter, the following words and terms shall have the following meanings, unless the context otherwise requires:

(1) "Authority" means the Washington higher education facilities authority created under RCW 28B.07.030 or any board, body, commission, department or officer succeeding to the principal functions of the authority or to whom the powers conferred upon the authority shall be given by law.

(2) "Bonds" means bonds, notes, commercial paper, certificates of indebtedness, or other evidences of indebtedness of the authority issued under this chapter.

(3) "Bond resolution" means any resolution of the authority, adopted under this chapter, authorizing the issuance and sale of bonds.

(4) "Higher education institution" means a private, nonprofit educational institution, the main campus of which is permanently situated in the state, which is open to residents of the state, which neither restricts entry on racial or religious grounds, which provides programs of education beyond high school leading at least to the baccalaureate degree, and which is accredited by the Northwest Association of Schools and Colleges or by an accrediting association recognized by the (~~(council for postsecondary education)~~) higher education coordinating board.

(5) "Participant" means a higher education institution which, under this chapter, undertakes the financing of a project or projects or undertakes

the refunding or refinancing of obligations, mortgages, or advances previously incurred for a project or projects.

(6) "Project" means any land or any improvement, including, but not limited to, buildings, structures, fixtures, utilities, machinery, excavations, paving, and landscaping, and any interest in such land or improvements, and any personal property pertaining or useful to such land and improvements, which are necessary, useful, or convenient for the operation of a higher education institution, including but not limited to, the following: Dormitories or other multi-unit housing facilities for students, faculty, officers, or employees; dining halls; student unions; administration buildings; academic buildings; libraries; laboratories; research facilities; computer facilities; classrooms; athletic facilities; health care facilities; maintenance, storage, or utility facilities; parking facilities; or any combination thereof, or any other structures, facilities, or equipment so related.

(7) "Project cost" means any cost related to the acquisition, construction, improvement, alteration, or rehabilitation by a participant or the authority of any project and the financing of the project through the authority, including, but not limited to, the following costs paid or incurred: Costs of acquisition of land or interests in land and any improvement; costs of contractors, builders, laborers, materialmen, and suppliers of tools and equipment; costs of surety and performance bonds; fees and disbursements of architects, surveyors, engineers, feasibility consultants, accountants, attorneys, financial consultants, and other professionals; interest on bonds issued by the authority during any period of construction; principal of and interest on interim financing of any project; debt service reserve funds; depreciation funds, costs of the initial start-up operation of any project; fees for title insurance, document recording, or filing; fees of trustees and the authority; taxes and other governmental charges levied or assessed on any project; and any other similar costs. Except as specifically set forth in this definition, the term "project cost" does not include books, fuel, supplies, and similar items which are required to be treated as a current expense under generally accepted accounting principles.

(8) "Trust indenture" means any agreement, trust indenture, or other similar instrument by and between the authority and one or more corporate trustees.

Sec. 48. Section 3, chapter 169, Laws of 1983 as amended by section 62, chapter 287, Laws of 1984 and RCW 28B.07.030 are each amended to read as follows:

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

(2) The authority shall consist of seven members as follows: The governor, lieutenant governor, executive (~~(coordinator)~~) director of the (~~(state council for postsecondary education)~~) higher education coordinating board, and four public members, one of whom shall be the president of a higher education institution at the time of appointment. The public members shall be residents of the state and appointed by the governor, subject to confirmation by the senate, on the basis of their interest or expertise in the provision of higher education and the financing of higher education. The public members of the authority shall serve for terms of four years. The initial terms of the public members shall be staggered in a manner determined by the governor. In the event of a vacancy on the authority due to death, resignation, or removal of one of the public members, and upon the expiration of the term of any public member, the governor shall appoint a successor for a term expiring on the fourth anniversary of the successor's date of the appointment. If any of the state offices are abolished, the resulting vacancy on the authority shall be filled by the state officer who shall succeed substantially to the power and duties of the abolished office. Any public member of the authority may be removed by the governor for misfeasance, malfeasance, wilful neglect of duty, or any other cause after notice and a public hearing, unless such notice and hearing shall be expressly waived in writing.

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

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

(5) Four members of the authority constitute a quorum. The authority may act on the basis of a motion except when authorizing the issuance and sale of bonds, in which case the authority shall act by resolution. Bond resolutions and other resolutions shall be adopted upon the affirmative vote of four members of the authority, and shall be signed by those members voting yes. Motions shall be adopted upon the affirmative vote of a majority of a

quorum of members present at any meeting of the authority. All actions taken by the authority shall take effect immediately without need for publication or other public notice. A vacancy in the membership of the authority does not impair the power of the authority to act under this chapter.

(6) The members of the authority shall be compensated in accordance with RCW 43.03.240 and shall be entitled to reimbursement, solely from the funds of the authority, for travel expenses as determined by the authority incurred in the discharge of their duties under this chapter.

Sec. 49. Section 4, chapter 169, Laws of 1983 and RCW 28B.07.040 are each amended to read as follows:

The authority is authorized and empowered to do the following, on such terms, with such security and undertakings, subject to such conditions, and in return for such consideration, as the authority shall determine in its discretion to be necessary, useful, or convenient in accomplishing the purposes of this chapter:

- (1) To promulgate rules in accordance with chapter 34.04 RCW;
- (2) To adopt an official seal and to alter the same at pleasure;
- (3) To maintain an office at any place or places as the authority may designate;
- (4) To sue and be sued in its own name, and to plead and be impleaded;
- (5) To make and execute agreements with participants and others and all other instruments necessary, useful, or convenient for the accomplishment of the purposes of this chapter;
- (6) To provide long-term or short-term financing or refinancing to participants for project costs, by way of loan, lease, conditional sales contract, mortgage, option to purchase, or other financing or security device or any such combination;
- (7) If, in order to provide to participants the financing or refinancing of project costs described in subsection (6) of this section, the authority deems it necessary or convenient for it to own a project or projects or any part of a project or projects, for any period of time, it may acquire, contract, improve, alter, rehabilitate, repair, manage, operate, mortgage, subject to a security interest, lease, sell, or convey the project;
- (8) To fix, revise from time to time, and charge and collect from participants and others rates, rents, fees, charges, and repayments as necessary to fully and timely reimburse the authority for all expenses incurred by it in providing the financing and refinancing and other services under this section and for the repayment, when due, of all the principal of, redemption premium, if any, and interest on all bonds issued under this chapter to provide the financing, refinancing, and services;
- (9) To accept and receive funds, grants, gifts, pledges, guarantees, mortgages, trust deeds, and other security instruments, and property from the federal government or the state or other public body, entity, or agency

and from any public or private institution, association, corporation, or organization, including participants. It shall not accept or receive from the state or any taxing agency any money derived from taxes, except money to be devoted to the purposes of a project of the state or of a taxing agency;

(10) To open and maintain a bank account or accounts in one or more qualified public depositories in this state and to deposit all or any part of authority funds therein;

(11) To employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers, an executive director, and such other employees and agents as may be necessary in its judgment to carry out the purposes of this chapter, and to fix their compensation;

(12) To provide financing or refinancing to two or more participants for a single project or for several projects in such combinations as the authority deems necessary, useful, or convenient;

(13) To charge to and equitably apportion among participants the administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter;

(14) To consult with the ~~((council for postsecondary education))~~ higher education coordinating board to determine project priorities under the purposes of this chapter; and

(15) To do all other things necessary, useful, or convenient to carry out the purposes of this chapter.

In the exercise of any of these powers, the authority shall incur no expense or liability which shall be an obligation, either general or special, of the state, or a general obligation of the authority, and shall pay no expense or liability from funds other than funds of the authority. Funds of the state shall not be used for such purpose.

Sec. 50. Section 28B.10.020, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.020 are each amended to read as follows:

The boards of regents of the University of Washington and Washington State University, respectively, and the boards of trustees of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College, respectively, shall have the power and authority to acquire by exchange, gift, purchase, lease, or condemnation in the manner provided by chapter 8.04 RCW for condemnation of property for public use, such lands, real estate and other property, and interests therein as they may deem necessary for the use of said institutions respectively. However, the purchase or lease of major off-campus facilities is subject to the approval of the higher education coordinating board under section 5 of this 1985 act.

Sec. 51. Section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.10.215 are each amended to read as follows:

There is allocated to each and every blind student attending any institution of higher education within the state a sum not to exceed two hundred dollars per quarter, or so much thereof as may be necessary in the opinion of the (~~council for postsecondary education~~) higher education coordinating board in the state of Washington, to provide said blind student with readers, books, recordings, recorders, or other means of reproducing and imparting ideas, while attending said institution of higher education: PROVIDED, That said allocation shall be made out of any moneys in the general fund not otherwise appropriated.

Sec. 52. Section 28B.10.220, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.10.220 are each amended to read as follows:

All blind student assistance shall be distributed under the supervision of the (~~council for postsecondary education~~) higher education coordinating board in the state of Washington. The moneys or any part thereof allocated in the manner referred to in RCW 28B.10.215 shall, for furnishing said books or equipment or supplying said services, be paid by said (~~council~~) board directly to the state institution of higher education, directly to such blind student, heretofore mentioned, or to (~~his~~) the student's parents, guardian, or some adult person, if the blind student is a minor, designated by said blind student to act as trustee of said funds, as shall be determined by the (~~council~~) board.

The (~~council~~) board shall have power to prescribe and enforce all rules and regulations necessary to carry out the provisions of this section and RCW 28B.10.215.

Sec. 53. Section 3, chapter 14, Laws of 1979 as last amended by section 1, chapter 113, Laws of 1981 and RCW 28B.10.650 are each amended to read as follows:

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

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College and the board of trustees of each community college district may grant remunerated professional leaves to faculty members and exempt staff, as defined in RCW 28B.16.040, in accordance with regulations adopted by the respective governing boards for periods not to exceed twelve consecutive months in accordance with the following provisions:

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

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

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

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

(5) The average number of annual remunerated professional leaves awarded at any such institution or district shall not exceed four percent of the total number of full time equivalent faculty, as defined by the office of financial management, who are engaged in instruction, and exempt staff as defined in RCW 28B.16.040.

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

(7) The respective institutions and districts shall maintain such information which will ensure compliance with the provisions of this section. The (~~council for postsecondary education~~) higher education coordinating board shall periodically request such information as to ensure institutions are in compliance.

Sec. 54. Section 1, chapter 13, Laws of 1980 and RCW 28B.10.790 are each amended to read as follows:

Washington residents attending any nonprofit college or university in another state which has a reciprocity agreement with the state of

Washington shall be eligible for the student financial aid program outlined in RCW 28B.10.800 through 28B.10.824 if (1) they qualify as a "needy student" under RCW 28B.10.802(3), and (2) the institution attended is a member institution of an accrediting association recognized by rule of the ((council)) higher education coordinating board for the purposes of this section and is specifically encompassed within or directly affected by such reciprocity agreement and agrees to and complies with program rules and regulations pertaining to such students and institutions adopted pursuant to RCW 28B.10.822.

Sec. 55. Section 2, chapter 13, Laws of 1980 and RCW 28B.10.792 are each amended to read as follows:

The ((council)) higher education coordinating board shall develop guidelines for determining the conditions under which an institution can be determined to be directly affected by a reciprocity agreement for the purposes of RCW 28B.10.790: PROVIDED, That no institution shall be determined to be directly affected unless students from the county in which the institution is located are provided, pursuant to a reciprocity agreement, access to Washington institutions at resident tuition and fee rates to the extent authorized by Washington law.

Sec. 56. Section 8, chapter 222, Laws of 1969 ex. sess. as last amended by section 1, chapter 235, Laws of 1979 ex. sess. and RCW 28B.10.802 are each amended to read as follows:

As used in RCW 28B.10.800 through 28B.10.824:

(1) "Institutions of higher education" shall mean (1) any public university, college, community college, or vocational-technical institute operated by the state of Washington or any political subdivision thereof or (2) any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of an accrediting association recognized by rule of the ((council)) board for the purposes of this section: PROVIDED, That any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of any such accrediting association: PROVIDED FURTHER, That no institution of higher education shall be eligible to participate in a student financial aid program unless it agrees to and complies with program rules and regulations adopted pursuant to RCW 28B.10.822.

(2) The term "financial aid" shall mean loans and/or grants to needy students enrolled or accepted for enrollment as a full time student at institutions of higher education.

(3) The term "needy student" shall mean a post high school student of an institution of higher learning as defined in subsection (1) ((above)) of this section who demonstrates to the ((council)) board the financial inability, either through ((his)) the student's parents, family and/or personally, to

meet the total cost of board, room, books, and tuition and incidental fees for any semester or quarter.

(4) The term "disadvantaged student" shall mean a post high school student who by reason of adverse cultural, educational, environmental, experiential, familial or other circumstances is unable to qualify for enrollment as a full time student in an institution of higher learning, who would otherwise qualify as a needy student, and who is attending an institution of higher learning under an established program designed to qualify ~~((him))~~ the student for enrollment as a full time student.

(5) "Commission" or ~~(("council"))~~ "board" shall mean the ~~((council for postsecondary education created in RCW 28B.80.010 as now or hereafter amended))~~ higher education coordinating board.

Sec. 57. Section 1, chapter 23, Laws of 1972 ex. sess. as amended by section 17, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.10.840 are each amended to read as follows:

The term "institution of higher education" whenever used in RCW 28B.10.840 through 28B.10.844, shall be held and construed to mean any public institution of higher education in Washington. The term "educational board" whenever used in RCW 28B.10.840 through 28B.10.844, shall be held and construed to mean the state board for community college education and the ~~((council on [for] postsecondary education))~~ higher education coordinating board.

Sec. 58. Section 4, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.040 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall develop and administer the college work-study program and shall be authorized to enter into agreements with employers and eligible institutions for the operation of the program. These agreements shall include such provisions as the ~~((commission on))~~ higher education coordinating board may deem necessary or appropriate to carry out the purposes of this chapter.

The share from funds disbursed under the college work-study program of the compensation of students employed under such program in accordance with such agreements shall not exceed eighty percent of the total such compensation paid such students.

Sec. 59. Section 5, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.050 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall disburse college work-study funds after consideration of recommendations of a panel convened by the ~~((commission on))~~ higher education coordinating board, and composed of representatives of eligible institutions and postsecondary education advisory and governing bodies. Said commission shall

establish criteria for the panel designed to achieve such distribution of assistance under this chapter among students attending eligible institutions as will most effectively carry out the purposes of this chapter.

Sec. 60. Section 6, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.060 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall adopt rules and regulations as may be necessary or appropriate for effecting the provisions of this chapter, and not in conflict with this chapter, in accordance with the provisions of chapter 28B.19 RCW, the state higher education administrative procedure act. Such rules and regulations shall be promulgated upon consideration of advice from a panel composed of representatives of institutional financial aid officers, a representative of employee organizations having membership in the classified service of the state's institutions of higher education, and will include provisions designed to make employment under such work-study program reasonably available, to the extent of available funds, to all eligible students in eligible post-secondary institutions in need thereof. Such rules and regulations shall include:

(1) Providing work under the college work-study program which will not result in the displacement of employed workers or impair existing contracts for services.

(2) Furnishing work only to a student who:

(a) Is capable, in the opinion of the eligible institution, of maintaining good standing in such course of study while employed under the program covered by the agreement; and

(b) Has been accepted for enrollment as at least a half-time student at the eligible institution or, in the case of a student already enrolled in and attending the eligible institution, is in good standing and in at least half-time attendance there either as an undergraduate, graduate or professional student; and

(c) Is not pursuing a degree in theology.

(3) Placing priority on the securing of work opportunities for students who are residents of the state of Washington as defined in RCW 28B.15.011 through 28B.15.014.

(4) Provisions to assure that in the state institutions of higher education utilization of this student work-study program:

(a) Shall only supplement and not supplant classified positions under jurisdiction of chapter 28B.16 RCW;

(b) That all positions established which are comparable shall be identified to a job classification under the higher education personnel board's classification plan and shall receive equal compensation;

(c) Shall not take place in any manner that would replace classified positions reduced due to lack of funds or work; and

(d) That work study positions shall only be established at entry level positions of the classified service.

Sec. 61. Section 7, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.070 are each amended to read as follows:

Each eligible institution shall submit to the (~~(commission on)~~) higher education coordinating board an annual report in accordance with such requirements as are promulgated by the commission.

Sec. 62. Section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 285, Laws of 1983 and RCW 28B.15.012 are each amended to read as follows:

Whenever used in chapter 28B.15 RCW:

(1) The term "institution" shall mean a public university, college, or community college within the state of Washington.

(2) The term "resident student" shall mean: (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which (~~(he)~~) the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational; (b) a dependent student, if one or both of (~~(his)~~) the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; or (c) a student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that (~~(he)~~) the student has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(3) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended. A nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States immigration and naturalization service and who does not also meet and comply with all

the applicable requirements in RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended.

(4) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where ~~((he))~~ the student intends to remain, and to which ~~((he))~~ the student expects to return when ~~((he))~~ the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the ~~((council for postsecondary education))~~ higher education coordinating board and shall include, but not be limited to, the state and federal income tax returns of the person and/or ~~((his))~~ the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the ~~((council))~~ board may require.

~~((6) The terms "he" or "his" shall apply to the female as well as the male sex unless the context clearly requires otherwise.))~~

Sec. 63. Section 3, chapter 273, Laws of 1971 ex. sess. as last amended by section 2, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.013 are each amended to read as follows:

(1) The establishment of a new domicile in the state of Washington by a person formerly domiciled in another state has occurred if such person is physically present in Washington primarily for purposes other than educational and can show satisfactory proof that such person is without a present intention to return to such other state or to acquire a domicile at some other place outside of Washington.

(2) Unless proven to the contrary it shall be presumed that:

(a) The domicile of any person shall be determined according to the individual's situation and circumstances rather than by marital status or sex.

(b) A person does not lose a domicile in the state of Washington by reason of residency in any state or country while a member of the civil or military service of this state or of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington; any resident dependent student who remains in this state when such student's parents, having theretofore been domiciled in this state for a period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at

any institution, remove from this state, shall be entitled to continued classification as a resident student so long as such student's attendance (except summer sessions) at an institution in this state is continuous.

(3) To aid the institution in deciding whether a student, parent, legally appointed guardian or the person having legal custody of a student is domiciled in the state of Washington primarily for purposes other than educational, the rules and regulations adopted by the (~~council for postsecondary education~~) higher education coordinating board shall include but not be limited to the following:

(a) Registration or payment of Washington taxes or fees on a motor vehicle, mobile home, travel trailer, boat, or any other item of personal property owned or used by the person for which state registration or the payment of a state tax or fee is required will be a factor in considering evidence of the establishment of a Washington domicile.

(b) Permanent full time employment in Washington by a person will be a factor in considering the establishment of a Washington domicile.

(c) Registration to vote for state officials in Washington will be a factor in considering the establishment of a Washington domicile.

(4) After a student has registered at an institution such student's classification shall remain unchanged in the absence of satisfactory evidence to the contrary. A student wishing to apply for a change in classification shall reduce such evidence to writing and file it with the institution. In any case involving an application for a change from nonresident to resident status, the burden of proof shall rest with the applicant. Any change in classification, either nonresident to resident, or the reverse, shall be based upon written evidence maintained in the files of the institution and, if approved, shall take effect the semester or quarter such evidence was filed with the institution: PROVIDED, That applications for a change in classification shall be accepted up to the thirtieth calendar day following the first day of instruction of the quarter or semester for which application is made. Any determination of classification shall be considered a ruling on a contested case subject to court review only under procedures prescribed by chapter 28B.19 RCW.

Sec. 64. Section 4, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.015 are each amended to read as follows:

The (~~council for postsecondary education~~) higher education coordinating board, upon consideration of advice from representatives of the state's institutions with the advice of the attorney general, shall adopt rules and regulations to be used by the state's institutions for determining a student's resident and nonresident status and for recovery of fees for improper classification of residency.

Sec. 65. Section 7, chapter 322, Laws of 1977 ex. sess. as last amended by section 16, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.070 are each amended to read as follows:

The house and senate (~~((higher education))~~) committees responsible for higher education shall develop, in cooperation with the (~~((council for postsecondary education))~~) higher education coordinating board and the respective fiscal committees of the house and senate, the office of financial management and the state institutions of higher education (~~((no later than))~~) by December ((1981, and at)) of each ((two year interval thereafter)) odd-numbered year, definitions, criteria and procedures for determining the undergraduate and graduate educational costs for the state universities, regional universities and community colleges upon which general tuition and operating fees will be based. In the event that no action is taken or disagreement exists between the committees as of that date, the recommendations of the (~~((council))~~) board shall be deemed to be approved.

Sec. 66. Section 4, chapter 257, Laws of 1981 as amended by section 17, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.076 are each amended to read as follows:

The (~~((council for postsecondary education))~~) higher education coordinating board shall determine and transmit amounts constituting approved undergraduate and graduate educational costs to the several boards of regents and trustees of the state institutions of higher education by November 10 of each even-numbered year. General tuition fees and operating fees shall be based on such costs in accordance with the provisions of this chapter.

Sec. 67. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100 are each amended to read as follows:

(1) The board of regents or board of trustees at each of the state's regional and state universities and at The Evergreen State College shall charge to and collect from each of the students registering at the particular institution for any quarter or semester such general tuition fees, operating fees, services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the general tuition fee, operating fee, and services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such general tuition fees and operating fees for other than summer session quarters or semesters shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended.

(2) Part time students shall be charged general tuition, operating, and services and activities fees proportionate to full time student rates established for residents and nonresidents: PROVIDED, That students registered for fewer than two credit hours shall be charged general tuition, operating, and services and activities fees at the rate established for two credit hours:

PROVIDED FURTHER, That residents of Idaho or Oregon who are enrolled in community college district number twenty for six or fewer credits during any quarter or semester may be allowed to enroll at resident tuition and fee rates upon a declaration by the ~~((council for postsecondary education))~~ higher education coordinating board that it finds Washington residents from such community college district are afforded substantially equivalent treatment by such other states ~~((or that, until June 30, 1983, it is in the interest of the residents of such community college district to authorize the exchange of educational opportunities between Washington and other such states on a resident tuition and fee basis))~~.

(3) Full-time students registered for more than eighteen credit hours shall be charged an additional operating fee for each credit hour in excess of eighteen hours at the established per credit hour general tuition and operating fee rate applicable to part-time students in the respective institutional tuition and fee rate categories set forth in this chapter: PROVIDED, That the boards of regents of the University of Washington and Washington State University may exempt students who are registered exclusively in first professional programs in medicine, dental medicine, veterinary medicine and law: PROVIDED FURTHER, That the state board for community college education may exempt students who are registered exclusively in required courses in vocational preparatory programs from the additional charge.

Sec. 68. Section 17, chapter 278, Laws of 1984 and RCW 28B.15.543 are each amended to read as follows:

(1) The boards of regents and trustees of the regional universities, state universities, and The Evergreen State College shall waive tuition, operating, and service and activities fees for two years for recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.832. To qualify for the waiver, recipients shall enter the college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.50.

(2) The ~~((council for postsecondary education))~~ higher education coordinating board shall report to the legislature on or before January 15, 1986, on the tuition waivers for the Washington scholars program. The report shall include an evaluation and recommendations on the effect of extending the waivers for a period of four years.

Sec. 69. Section 1, chapter 80, Laws of 1979 as amended by section 1, chapter 104, Laws of 1983 and RCW 28B.15.730 are each amended to read as follows:

(1) The state board for community college education and the boards of trustees for community college districts thirteen, fourteen, sixteen, nineteen, and twenty, for Lower Columbia, Clark, Yakima Valley, Columbia Basin, and Walla Walla community colleges, respectively, and the board of trustees for The Evergreen State College, for any program it offers in

Vancouver, shall waive the payment of nonresident tuition and fees by residents of Oregon, upon completion of an agreement between the (~~council for postsecondary education~~) higher education coordinating board and appropriate officials and agencies in Oregon granting similar waivers for residents of Cowlitz, Clark, Wahkiakum, Skamania, and Klickitat counties, Washington, who qualify for junior or senior standing to attend Portland State University at the undergraduate level.

(2) The state board for community college education and the boards of trustees of the state's community colleges, The Evergreen State College, and the regional universities and the boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of Oregon, upon completion of and to the extent permitted by an agreement between the (~~council for postsecondary education~~) higher education coordinating board and appropriate officials and agencies in Oregon granting similar waivers for residents of the state of Washington.

Sec. 70. Section 2, chapter 80, Laws of 1979 and RCW 28B.15.732 are each amended to read as follows:

Prior to January 1(~~;~~) of each odd-numbered year the (~~council for postsecondary education~~) higher education coordinating board, in cooperation with the state board for community college education, and in consultation with appropriate agencies and officials in the state of Oregon, shall determine for the purposes of RCW 28B.15.730 the number of students for whom nonresident tuition and fees have been waived for the first academic year of the biennium and the fall term of the second academic year, and make an estimate of the number of such students for the remainder of the second academic year, and the difference between the aggregate amount of tuition and fees that would have been paid to the respective states by residents of the other state had such waivers not been made, and the aggregate amount of tuition and fees paid by residents of the other state. Should the (~~council~~) board determine that the state of Oregon has experienced a greater net tuition and fee revenue loss than institutions in Washington, it shall pay from funds appropriated for this purpose to the appropriate agency or institutions in Oregon an amount determined by subtracting the net tuition and fee revenue loss of Washington from the net tuition and fee revenue loss of Oregon, minus twenty-five thousand dollars for each year of the biennium: PROVIDED, That appropriate officials in the state of Oregon agree to make similar restitution to the state of Washington should the net tuition and fee revenue loss in Washington be greater than that in Oregon.

Sec. 71. Section 3, chapter 80, Laws of 1979 and RCW 28B.15.734 are each amended to read as follows:

The (~~council for postsecondary education~~) higher education coordinating board may enter into an agreement with appropriate officials or

agencies in Oregon to implement the provisions of RCW 28B.15.730 through 28B.15.734.

Sec. 72. Section 4, chapter 80, Laws of 1979 as amended by section 2, chapter 104, Laws of 1983 and RCW 28B.15.736 are each amended to read as follows:

By January 10 of each odd-numbered year, the (~~council for postsecondary education~~) higher education coordinating board shall review the costs and benefits of this program and shall transmit copies (~~or~~ ~~off~~) of their review to the governor and the appropriate policy and fiscal committees of the legislature.

Sec. 73. Section 1, chapter 166, Laws of 1983 and RCW 28B.15.750 are each amended to read as follows:

The state board for community college education and the boards of trustees of the state's community colleges, The Evergreen State College, and the regional universities and boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of Idaho, upon completion of and to the extent permitted by an agreement between the (~~council for postsecondary education~~) higher education coordinating board and appropriate officials and agencies in Idaho granting similar waivers for residents of the state of Washington.

Sec. 74. Section 2, chapter 166, Laws of 1983 and RCW 28B.15.752 are each amended to read as follows:

Prior to January 1 of each odd-numbered year, the (~~council for postsecondary education~~) higher education coordinating board, in cooperation with the state board for community college education and in consultation with appropriate agencies and officials in the state of Idaho, shall determine for the purposes of RCW 28B.15.750 the number of students for whom nonresident tuition and fees have been waived for the first academic year of the biennium and the fall term of the second academic year, and make an estimate of the number of such students for the remainder of the second academic year, and the difference between the aggregate amount of tuition and fees that would have been paid to the respective states by residents of the other state had such waivers not been made, and the aggregate amount of tuition and fees paid by residents of the other state. Should the (~~council~~) board determine that the state of Idaho has experienced a greater net tuition and fee revenue loss than institutions in Washington, it shall pay from funds appropriated for this purpose to the appropriate agency or institution in Idaho an amount determined by subtracting the net tuition and fee revenue loss of Washington from the net tuition and fee revenue loss of Idaho, minus twenty-five thousand dollars for each year of the biennium if

the appropriate officials in the state of Idaho agree to make similar restitution to the state of Washington should the net tuition and fee revenue loss in Washington be greater than that in Idaho.

Sec. 75. Section 3, chapter 166, Laws of 1983 and RCW 28B.15.754 are each amended to read as follows:

The (~~(council for postsecondary education)~~) higher education coordinating board may enter into an agreement with appropriate officials or agencies in the state of Idaho to implement RCW 28B.15.750 and 28B.15.752. By January 10 of each odd-numbered year, the (~~(council)~~) board shall review the costs and benefits of any agreement entered into under RCW 28B.15.750 and shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the (~~(council)~~) board shall make recommendations to the legislature on the continuation or termination of the authorization contained in this section not later than January, 1987.

Sec. 76. Section 4, chapter 166, Laws of 1983 and RCW 28B.15.756 are each amended to read as follows:

The boards of trustees of The Evergreen State College and the regional universities and the boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of the Canadian province of British Columbia, upon completion of and to the extent permitted by an agreement between the (~~(council for postsecondary education)~~) higher education coordinating board and appropriate officials and agencies in the Canadian province of British Columbia providing for enrollment opportunities for residents of the state of Washington without payment of tuition or fees in excess of those charged to residents of British Columbia.

Sec. 77. Section 5, chapter 166, Laws of 1983 and RCW 28B.15.758 are each amended to read as follows:

The (~~(council for postsecondary education)~~) higher education coordinating board may enter into an agreement with appropriate officials or agencies in the Canadian province of British Columbia to implement RCW 28B.15.756. The agreement should provide for a balanced exchange of enrollment opportunities, without payment of excess tuition or fees, for residents of the state of Washington or the Canadian province of British Columbia. By January 10 of each odd-numbered year, the (~~(council)~~) board shall review the costs and benefits of any agreement entered into under RCW 28B.15.756 and shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the (~~(council)~~) board shall make recommendations to the legislature on the continuation or termination of the authorization contained in this section not later than January, 1987.

Sec. 78. Section 6, chapter 166, Laws of 1983 (uncodified) is amended to read as follows:

~~((Sections one through five of this act))~~ RCW 28B.15.750 through 28B.15.758 shall expire on June 30, 1987.

Sec. 79. Section 1, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.760 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28B.15.762 and 28B.15.764.

(1) "Institution of higher education" or "institution" means a college or university in the state of Washington which is a member institution of an accrediting association recognized as such by rule of the ~~((council for post-secondary education))~~ higher education coordinating board.

(2) ~~(("Council" means the council for postsecondary education))~~ "Board" means the higher education coordinating board.

(3) "Eligible student" means a student registered for at least ten credit hours or the equivalent and demonstrates achievement of a 3.00 grade point average for each academic year, who is a resident student as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy student" as defined in RCW 28B.10.802, and who has a declared major in a program leading to a degree in teacher education in a field of science or mathematics, or a certificated teacher who meets the same credit hour and "needy student" requirements and is seeking an additional degree in science or mathematics.

(4) "Public school" means a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(5) "Forgiven" or "to forgive" means to collect service as a teacher in a field of science or mathematics at a public school in the state of Washington in lieu of monetary payment.

(6) "Satisfied" means paid-in-full.

(7) "Borrower" means an eligible student who has received a loan under RCW 28B.15.762.

Sec. 80. Section 2, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.762 are each amended to read as follows:

(1) The ~~((council))~~ board may make long-term loans to eligible students at institutions of higher education from the funds appropriated to the ~~((council))~~ board for this purpose. The amount of any such loan shall not exceed the demonstrated financial need of the student or two thousand five hundred dollars for each academic year whichever is less, and the total amount of such loans to an eligible student shall not exceed ten thousand dollars. The interest rates and terms of deferral of such loans shall be consistent with the terms of the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq. The period for repaying the loan principal and interest shall be ten years with payments accruing quarterly commencing nine

months from the date the borrower graduated. The entire principal and interest of each loan payment shall be forgiven for each payment period in which the borrower teaches science or mathematics in a public school in this state until the entire loan is satisfied or the borrower ceases to teach science or mathematics at a public school in this state. Should the borrower cease to teach science or mathematics at a public school in this state before the time in which the principal and interest on the loan are satisfied, payments on the unsatisfied portion of the principal and interest on the loan shall begin the next payment period and continue until the remainder of the loan is paid.

(2) The ~~((council))~~ board is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Collection and servicing of loans under subsection (1) of this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency. The ~~((council))~~ board is responsible to forgive all or parts of such loans under the criteria established in subsection (1) of this section and shall maintain all necessary records of forgiven payments.

(3) Receipts from the payment of principal or interest or any other subsidies to which the ~~((council))~~ board as lender is entitled, which are paid by or on behalf of borrowers under subsection (1) of this section, shall be deposited with the ~~((council for postsecondary education))~~ higher education coordinating board and shall be used to cover the costs of making the loans under subsection (1) of this section, maintaining necessary records, and making collections under subsection (2) of this section. The ~~((council))~~ board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to make loans to eligible students.

(4) The ~~((council for postsecondary education))~~ board shall adopt necessary rules to implement this section.

Sec. 81. Section 3, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.764 are each amended to read as follows:

The ~~((council for postsecondary education))~~ board and institutions of higher education shall work cooperatively to implement RCW 28B.15.762 and to publicize this program to eligible students.

Sec. 82. Section 10, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.20.280 are each amended to read as follows:

The board of regents of the University of Washington may offer masters level and doctorate level degrees in technology subject to review and approval by the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 83. Section 12, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.30.500 are each amended to read as follows:

The board of regents of Washington State University may offer masters level and doctorate level degrees in technology subject to review and approval by the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 84. Section 4, chapter 14, Laws of 1979 and RCW 28B.35.205 are each amended to read as follows:

In addition to all other powers and duties given to them by law, Central Washington University, Eastern Washington University, and Western Washington University are hereby authorized to grant any degree through the master's degree to any student who has completed a program of study and/or research in those areas which are determined by the faculty and board of trustees of the college to be appropriate for the granting of such degree: PROVIDED, That before any degree is authorized under this section it shall be subject to the review and ~~((recommendation))~~ approval of the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 85. Section 1, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.206 are each amended to read as follows:

In addition to all other powers and duties given to them by law, the board of trustees of The Evergreen State College is hereby authorized to grant any degree through the master's degree to any student who has completed a program of study and/or research in those areas which are determined by the faculty and board of trustees of the college to be appropriate for the granting of such degree: PROVIDED, That any degree authorized under this section shall be subject to the review and ~~((favorable recommendation))~~ approval of the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 86. Section 5, chapter 72, Laws of 1983 1st ex. sess. as amended by section 1, chapter 66, Laws of 1984 and RCW 28B.65.040 are each amended to read as follows:

(1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of seventeen members as follows:

(a) Eleven shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) Six of the members shall be as follows: One representative from each of the state's two research universities, one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, and a representative of the ~~((council for postsecondary education))~~ higher education coordinating board.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

Sec. 87. Section 6, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.050 are each amended to read as follows:

(1) The board shall oversee and coordinate the high-technology education and training program.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the ~~((council for postsecondary education))~~ higher education coordinating board on their findings;

(b) Identify economic areas with high-technology industries in need of technical training critical to economic renewal or economic development and advise the institutions of higher education and the ~~((council for postsecondary education))~~ higher education coordinating board on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the ~~((council for postsecondary education))~~ higher education coordinating board during the ~~((council's))~~ board's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers or prerogatives of the ~~((council for postsecondary education))~~ higher education coordinating board over the review of new degree programs as established in ~~((RCW 28B.80.035))~~ section 6(2) of this 1985 act; and

~~(f) ((Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to RCW 28B.65.080, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources; and~~

~~(g))~~ Prepare and submit to the legislature before the first day of each regular session an annual report on the Washington high-technology education and training program including, but not limited to:

- (i) An evaluation of the program;
- (ii) A determination of the feasibility of expanding the program; and
- (iii) Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

***Sec. 88. Section 7, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.060 are each amended to read as follows:**

Staff support for the high-technology coordinating board shall be provided by the ((council for postsecondary education)) higher education coordinating board.

***Sec. 88 was vetoed, see message at end of chapter.**

Sec. 89. Section 4, chapter 174, Laws of 1975 1st ex. sess. as amended by section 3, chapter 21, Laws of 1983 1st ex. sess. and RCW 28C.04.040 are each amended to read as follows:

The commission for vocational education shall have the following functions:

(1) Plan development. The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary education systems. Prior to the adoption of the state plan, the commission shall request comments from the ((council on)) higher education coordinating board and the advisory council for vocational education.

(2) State plan modification adjudication. Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and whether the common school or community college, or both, can best respond to those needs; encourage cooperation and coordination rather than competition and program conflict between secondary and postsecondary education systems; consider the desires and preferences of the residents of the immediate program service area and of the representatives of the fields of management, labor, and agriculture which benefit from possible program offerings; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic compliance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

(4) Fire service training program. The commission may accept any and all donations, grants, bequests, and devices, conditional or otherwise, or money, property, service, or other things of value which may be received from the United States or any agency thereof, any governmental agency, any institution, person, firm, or corporation, public and private, to be held,

used, or applied for the purposes of the fire service training program established in RCW 28C.04.140.

(5) Job skills program. The commission shall have the following powers and duties for the job skills program:

(a) To collect and disseminate to interested individuals, in cooperation with and through any agencies of federal, state, and municipal government, information concerning areas of present and projected employment need, programs of skills training and education consistent therewith, and any other relevant information;

(b) To apply for, utilize, and accept grants from other federal, state, and local agencies for the purposes of matching requirements and to facilitate the purposes of RCW 28C.04.420 through 28C.04.480;

(c) To help identify, upon the request of business and industry, those educational institutions which could provide the training services sought by business and industry and to identify any existing programs which could serve the particular needs of business and industry;

(d) To provide job skills grants to educational institutions to facilitate the development of programs of job skills training and education consistent with employment needs;

(e) To work cooperatively with the employment security department to enhance and update the state's occupational information system and the state's career information system;

(f) To adopt rules to carry out its powers and duties for the job skills program.

Sec. 90. Section 12, chapter 174, Laws of 1975 1st ex. sess. as last amended by section 23, chapter 151, Laws of 1979 and RCW 28C.04.510 are each amended to read as follows:

The governor is hereby authorized, with the advice of the office of financial management to determine to which of the following state agencies those functions of the coordinating council for occupational education not ~~((herein))~~ transferred by chapter 174, Laws of 1975 1st ex. sess. to the commission for vocational education shall be transferred: The ~~((council on))~~ higher education coordinating board; the department of social and health services; the department of labor and industries; the superintendent of public instruction; the state board for community colleges; the employment security department; the state library, or any educational administrative agency created during the forty-fourth legislative session. The governor has the authority to transfer such personnel, funds, and equipment to the agency he so determines as may be necessary to carry out those functions. The governor shall make a report to the legislature concerning such determinations as he has made by December 1, 1975. All remaining funds of the coordinating council not disposed of or otherwise provided for in this chapter shall remain within the jurisdiction of the commission.

Sec. 91. Section 28B.10.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 278, Laws of 1984 and RCW 28B.10.050 are each amended to read as follows:

Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities, the regional universities, and The Evergreen State College may establish entrance requirements for their respective institutions of higher education ~~((that))~~ which meet or exceed the minimum entrance requirements established under ~~((RCW 28B.10.045))~~ section 6(2) of this 1985 act.

Sec. 92. Section 28B.20.130, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 75, Laws of 1977 and RCW 28B.20.130 are each amended to read as follows:

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

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

(2) To employ the president of the university, his assistants, members of the faculty, and employees of the institution, who except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university which meet or exceed the standards specified under section 6(2) of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

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

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

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

(7) Accept such gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, for the use or benefit of the university, its colleges, schools, departments, or agencies; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises. The board shall adopt proper

rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises above-mentioned, and shall make full report of the same in the customary biennial report to the governor and members of the legislature, or more frequently if required by law: PROVIDED, HOWEVER, That nothing herein contained shall be construed to repeal, amend or in any way modify any of the provisions of RCW 28B.20.380.

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

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

(10) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

Sec. 93. Section 28B.30.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 75, Laws of 1977 and RCW 28B.30.150 are each amended to read as follows:

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

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

(2) Employ the president of the university, his assistants, members of the faculty, and employees of the university, who, except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university which meet or exceed the standards specified under section 6(2) of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant, at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

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

(5) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

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

~~((6))~~ (7) Collect such information as the board deems desirable as to the schemes of technical instruction adopted in other parts of the United States and foreign countries.

~~((7))~~ (8) Provide for holding agricultural institutes including farm marketing forums.

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

~~((9))~~ (10) Provide training in military tactics for those students electing to participate therein.

~~((10))~~ (11) Establish a department of elementary science and in connection therewith provide instruction in elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying.

~~((11))~~ (12) Establish a department of agriculture and in connection therewith provide instruction in physics with special application of its principles to agriculture, chemistry with special application of its principles to agriculture, morphology and physiology of plants with special reference to common grown crops and fungus enemies, morphology and physiology of the lower forms of animal life, with special reference to insect pests, morphology and physiology of the higher forms of animal life and in particular of the horse, cow, sheep and swine, agriculture with special reference to the breeding and feeding of livestock and the best mode of cultivation of farm produce, and mining and metallurgy, appointing demonstrators in each of these subjects to superintend the equipment of a laboratory and to give practical instruction therein.

~~((12))~~ (13) Establish agricultural experiment stations in connection with the department of agriculture, including at least one in the western portion of the state, and appoint the officers and prescribe regulations for their management.

~~((13))~~ (14) Grant to students such certificates or degrees, as recommended for such students by the faculty.

~~((14))~~ (15) Confer honorary degrees upon persons other than graduates of the university in recognition of their learning or devotion to literature, art or science when recommended thereto by the faculty: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

~~((15))~~ (16) Adopt plans and specifications for university buildings and facilities or improvements thereto and employ skilled architects and engineers to prepare such plans and specifications and supervise the construction of buildings or facilities which the board is authorized to erect, and fix the compensation for such services. The board shall enter into contracts with one or more contractors for such suitable buildings, facilities or

improvements as the available funds will warrant, upon the most advantageous terms offered at a public competitive letting, pursuant to public notice under regulations established by the board. The board shall require of all persons with whom they contract for construction and improvements a good and sufficient bond for the faithful performance of the work and full protection against all liens.

~~((16))~~ (17) Except as otherwise provided by law, direct the disposition of all money appropriated to or belonging to the state university.

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

~~((18))~~ (19) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

~~((19))~~ (20) Acquire by lease, gift, or otherwise, lands necessary to further the work of the university or for experimental or demonstrational purposes.

~~((20))~~ (21) Establish and maintain at least one agricultural experiment station in an irrigation district to conduct investigational work upon the principles and practices of irrigational agriculture including the utilization of water and its relation to soil types, crops, climatic conditions, ditch and drain construction, fertility investigations, plant disease, insect pests, marketing, farm management, utilization of fruit byproducts and general development of agriculture under irrigation conditions.

~~((21))~~ (22) Supervise and control the agricultural experiment station at Puyallup.

~~((22))~~ (23) Establish and maintain at Wenatchee an agricultural experiment substation for the purpose of conducting investigational work upon the principles and practices of orchard culture, spraying, fertilization, pollenization, new fruit varieties, fruit diseases and pests, byproducts, marketing, management and general horticultural problems.

~~((23))~~ (24) Accept such gifts, grants, conveyances, devises and bequests, whether real or personal property, in trust or otherwise, for the use or benefit of the university, its colleges, schools or departments; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises; adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises,

and make full report thereof in a biennial report to the governor and members of the legislature.

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

~~((25))~~ (26) Make and transmit to the governor and members of the legislature upon request such reports as will be helpful in providing for the institution.

Sec. 94. Section 48, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.120 are each amended to read as follows:

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

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

(2) Shall employ the president of the regional university, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the regional university, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: **PROVIDED**, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the regional university and not otherwise proscribed by law.

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

(6) May acquire real and other property as provided in RCW 28B.10-.020, as now or hereafter amended.

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

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

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

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

(11) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

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

Sec. 95. Section 28B.40.120, chapter 223, Laws of 1969 ex. sess. as amended by section 68, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.120 are each amended to read as follows:

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

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

(2) Shall employ the president of the state college, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the state college, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

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

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

(6) May acquire real and other property as provided in RCW 28B.10-.020, as now or hereafter amended.

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

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

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

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

(11) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

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

Sec. 96. Section 6, chapter 14, Laws of 1979 as last amended by section 3, chapter 246, Laws of 1981 and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand. However,

the authority of community college boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the higher education coordinating board pursuant to section 5(5) of this 1985 act;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules and regulations adopted by the state board for community college education: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be subject to review by the state board for community college education and to such rules as the state board may adopt for that purpose in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service: PROVIDED FURTHER, That enrollments generated by courses offered on the basis of contracts requiring payment of a share of the

normal costs of the course will be discounted to the percentage provided by the college;

(18) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association; (~~and~~)

(19) Subject to the approval of the higher education coordinating board pursuant to section 5(4) of this 1985 act, may participate in higher education centers and consortia that involve any four-year public or independent college or university; and

(20) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION. Sec. 97. Washington State and Eastern Washington Universities shall establish, in cooperation with the council for postsecondary education or its successor agency, a joint center for higher education in Spokane on or before January 1, 1986.

NEW SECTION. Sec. 98. (1) The joint center for higher education shall coordinate all undergraduate and graduate degree programs, and all other seminars, courses, and programs of any type offered in the Spokane area by Washington State University and by Eastern Washington University outside of its Cheney campus. The joint center for higher education shall not coordinate the intercollegiate center for nursing.

(2) The joint center for higher education shall coordinate the following higher education activities in the Spokane area outside of the Eastern Washington University Cheney campus:

(a) Articulation between lower division and upper division programs;

(b) The participation of Washington State University in its joint engineering program with Gonzaga University and in its joint engineering management program with Eastern Washington University and Gonzaga University; and

(c) All contractual negotiations between public and independent colleges and universities.

(3) The participating institutions in the joint center for higher education shall maintain jurisdiction over the content of the course offerings and the entitlement to degrees.

(4) Disputes regarding which programs are to be coordinated by the joint center for higher education shall be arbitrated by the council for postsecondary education or its successor agency. The decision of the arbitrating agency shall be binding.

NEW SECTION. Sec. 99. (1) The joint center for higher education shall be administered by a board consisting of:

(a) Two representatives of Eastern Washington University appointed by the board of trustees;

(b) Two representatives of Washington State University appointed by the board of regents;

(c) One representative of the community colleges in the Spokane area appointed by the board of trustees of the Spokane community college district; and

(d) Two citizens residing in Spokane county. The governor, with the consent of the senate, shall appoint the initial members, one for a two-year term and one for a four-year term. Subsequent citizen board members shall be appointed for four-year terms by the remaining voting members of the board.

(2) The executive coordinator or designee of the council for postsecondary education or its successor agency shall serve as a nonvoting member of the board.

(3) Each of the seven voting members shall have one vote. The voting members shall select a chairperson. A majority of the voting members shall constitute a quorum for conducting business.

NEW SECTION. Sec. 100. The board of the joint center for higher education shall hire a director who may hire other staff as necessary to carry out the center's duties. The director shall have the status of resident dean at the center and of dean at both Washington State and Eastern Washington Universities.

NEW SECTION. Sec. 101. Washington State University and Eastern Washington University shall each allocate at least fifty thousand dollars per year to implement sections 97 through 102 of this act. The board shall contract for financial and personnel services, or provide such services through other means as agreed upon by the board.

NEW SECTION. Sec. 102. The board of regents of Washington State University and the board of trustees of Eastern Washington University shall be responsible for achieving improved cooperation and joint use of resources and facilities between the two institutions. The governing boards of the two public universities shall report to the appropriate standing committees of the legislature on their actions and recommendations by January 1 of 1987 and 1989.

NEW SECTION. Sec. 103. Sections 97 through 102 of this act shall constitute new sections in Title 28B RCW.

NEW SECTION. Sec. 104. Sections 1 through 14 of this act are each added to chapter 28B.80 RCW.

NEW SECTION. Sec. 105. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40-.240;

(2) Section 3, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40-.244;

(3) Section 18, chapter 278, Laws of 1984 and RCW 28B.10.045;

(4) Section 20, chapter 278, Laws of 1984 and RCW 28B.10.052;

(5) Section 1, chapter 277, Laws of 1969 ex. sess., section 1, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.010;

(6) Section 2, chapter 277, Laws of 1969 ex. sess., section 2, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.020;

(7) Section 3, chapter 277, Laws of 1969 ex. sess., section 3, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.030;

(8) Section 2, chapter 201, Laws of 1977 ex. sess. and RCW 28B.80-.035;

(9) Section 4, chapter 277, Laws of 1969 ex. sess., section 4, chapter 132, Laws of 1975 1st ex. sess., section 43, chapter 169, Laws of 1977 ex. sess. and RCW 28B.80.040;

(10) Section 5, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80-.050;

(11) Section 6, chapter 277, Laws of 1969 ex. sess., section 5, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.060;

(12) Section 7, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80-.070;

(13) Section 9, chapter 277, Laws of 1969 ex. sess., section 6, chapter 132, Laws of 1975 1st ex. sess., section 22, chapter 151, Laws of 1979 and RCW 28B.80.080;

(14) Section 10, chapter 277, Laws of 1969 ex. sess. and RCW 28B-.80.090;

(15) Section 13, chapter 277, Laws of 1969 ex. sess. and RCW 28B-.80.120;

(16) Section 13, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.220 ; and

(17) Section 14, chapter 277, Laws of 1969 ex. sess., section 10, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.900.

NEW SECTION. Sec. 106. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 197, Laws of 1983 and RCW 43.131.259; and

(2) Section 29, chapter 197, Laws of 1983 and RCW 43.131.260.

NEW SECTION. Sec. 107. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 108. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions. Section 106 of this act shall

take effect June 30, 1985. Sections 1 through 96, and 105 of this act shall take effect January 1, 1986, but any steps that may be necessary to ensure that this act is implemented on its effective dates may be taken immediately.

Passed the Senate April 27, 1985.

Passed the House April 27, 1985.

Approved by the Governor May 20, 1985, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State May 20, 1985.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to one section Engrossed Substitute Senate Bill No. 3376, entitled:

"AN ACT Relating to governance in higher education;"

Senate Bill 3630 transfers the High Technology Coordinating Board's administrative support responsibility from the existing Council for Postsecondary Education to the Department of Commerce and Economic Development. Engrossed Substitute Senate Bill No. 3376 replaces CPE with a new Higher Education Coordinating Board and changes existing statutes accordingly. Therefore, Section 3 of Senate Bill No. 3630 and Section 88 of Engrossed Substitute Senate Bill No. 3376 are in conflict as they relate to staff for the High Technology Coordinating Board. To carry out legislative intent, I, therefore, have vetoed Section 88 of Engrossed Substitute Senate Bill No. 3376.

With the exception of Section 88, Engrossed Substitute Senate Bill No. 3376 is approved."

CHAPTER 371

[Senate Bill No. 3456]

ALCOHOL USED AS FUEL—TAX EXEMPTIONS

AN ACT Relating to tax exemptions; amending RCW 82.04.325, 82.29A.135, 82.36.225, 82.36.280, 82.38.085, and 84.36.490; and amending section 6, chapter 131, Laws of 1980 (uncodified).

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

Sec. 1. Section 6, chapter 131, Laws of 1980 (uncodified) is amended to read as follows:

~~((Sections 1 through 4 of this 1980 act))~~ RCW 82.08.0286 and 82.12.0281 shall expire December 31, ((1986)) 1992.

Sec. 2. Section 13, chapter 196, Laws of 1979 ex. sess. as amended by section 3, chapter 157, Laws of 1980 and RCW 82.04.325 are each amended to read as follows:

The tax imposed by RCW 82.04.270(1) does not apply to any person who manufactures alcohol with respect to sales of said alcohol to be used in the production of gasohol for use as motor vehicle fuel, nor with respect to sales of gasohol for use as motor vehicle fuel. As used in this section, "motor vehicle fuel" has the meaning given in RCW 82.36.010(2), and "gasohol" means motor vehicle fuel which contains more than nine and one-half