

(3) Promote cooperation among institutions of higher education, the superintendent of public instruction and local school districts in working towards the goals of the program; and

(4) Solicit contributions of time and resources from public and private institutions of higher education, high schools, middle and junior high schools, and private business and industry.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void.

Passed the House March 8, 1990.

Passed the Senate March 7, 1990.

Approved by the Governor March 29, 1990.

Filed in Office of Secretary of State March 29, 1990.

CHAPTER 287

[Substitute House Bill No. 2831]

AMERICAN INDIAN ENDOWED SCHOLARSHIP PROGRAM

AN ACT Relating to matching grants for higher education scholarships; adding a new chapter to Title 28B RCW; and creating a new section.

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

NEW SECTION. Sec. 1. The legislature recognizes the benefit to our state and nation of providing equal educational opportunities for all races and nationalities. The legislature finds that American Indian students are underrepresented in Washington's colleges and universities. The legislature also finds that past discriminatory practices have resulted in this underrepresentation. Creating an endowed scholarship program to help American Indian students obtain a higher education will help to rectify past discrimination by providing a means and an incentive for American Indian students to pursue a higher education. The state will benefit from contributions made by American Indians who participate in a program of higher education.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Institution of higher education" or "institution" means a college or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(2) "Board" means the higher education coordinating board.

(3) "Eligible student" or "student" means an American Indian student as defined by the board in consultation with the advisory committee described in section 4 of this act, who is a financially needy student, as defined in RCW 28B.10.802, who is a resident student, as defined by RCW

28B.15.012(2), who is a full-time student at an institution of higher education, and who promises to use his or her education to benefit other American Indians.

NEW SECTION. Sec. 3. The American Indian endowed scholarship program is created. The program shall be administered by the higher education coordinating board. In administering the program, the board's powers and duties shall include but not be limited to:

(1) Selecting students to receive scholarships, with the assistance of a screening committee composed of persons involved in helping American Indian students to obtain a higher education. The membership of the committee may include, but is not limited to representatives of: Indian tribes, urban Indians, the governor's office of Indian affairs, the Washington state Indian education association, and institutions of higher education;

(2) Adopting necessary rules and guidelines;

(3) Publicizing the program;

(4) Accepting and depositing donations into the endowment fund created in section 7 of this act;

(5) Requesting and accepting from the state treasurer moneys earned from the trust fund and the endowment fund created in sections 6 and 7 of this act;

(6) Soliciting and accepting grants and donations from public and private sources for the program; and

(7) Naming scholarships in honor of those American Indians from Washington who have acted as role models.

NEW SECTION. Sec. 4. The higher education coordinating board shall establish an advisory committee to assist in program design and to develop criteria for the screening and selection of scholarship recipients. The committee shall be composed of representatives of the same groups as the screening committee described in section 3 of this act. These criteria shall include a priority for upper-division or graduate students. The criteria may include a priority for students who are majoring in program areas in which expertise is needed by the state's American Indians.

NEW SECTION. Sec. 5. The board may award scholarships to eligible students from moneys earned from the endowment fund created in section 7 of this act, or from funds appropriated to the board for this purpose, or from any private donations, or from any other funds given to the board for this program. For an undergraduate student, the amount of the scholarship shall not exceed the student's demonstrated financial need. For a graduate student, the amount of the scholarship shall not exceed the student's demonstrated need; or the stipend of a teaching assistant, including tuition, at the University of Washington; whichever is higher. In calculating a student's need, the board shall consider the student's costs for tuition, fees, books, supplies, transportation, room, board, personal expenses, and child

care. The student's scholarship awarded under this chapter shall not exceed the amount received by a student attending a state research university. A student is eligible to receive a scholarship for a maximum of five years. However, the length of the scholarship shall be determined at the discretion of the board.

NEW SECTION. Sec. 6. The American Indian endowed scholarship trust fund is established. The trust fund shall be administered by the state treasurer. Funds appropriated by the legislature for the trust fund shall be deposited into the fund. All moneys deposited in the fund shall be invested by the state treasurer. Notwithstanding RCW 43.84.090, all earnings of investments of balances of the trust fund shall be credited to the fund. At the request of the higher education coordinating board, and when conditions set forth in section 8 of this act are met, the treasurer shall deposit state matching moneys in the trust fund into the American Indian endowment fund. No appropriation is required for expenditures from the trust fund.

NEW SECTION. Sec. 7. The American Indian scholarship endowment fund is established. The endowment fund shall be administered by the state treasurer. Moneys received from the higher education coordinating board, private donations, state matching moneys, and funds received from any other source may be deposited into the endowment fund. All moneys deposited in the endowment fund shall be invested by the state treasurer. Notwithstanding RCW 43.84.090, all earnings of investments of balances of the endowment fund shall be credited to the endowment fund. At the request of the higher education coordinating board, the treasurer shall release earnings from the endowment fund to the board for scholarships. No appropriation is required for expenditures from the endowment fund.

The principal of the endowment fund shall not be invaded. The earnings on the fund shall be used solely for the purposes set forth in section 5 of this act.

NEW SECTION. Sec. 8. The higher education coordinating board may request that the treasurer deposit five hundred thousand dollars of state matching funds into the American Indian scholarship endowment fund when the board can match the state funds with an equal amount of private cash donations. Private donations means moneys from nonstate sources that include, but are not limited to, federal moneys, tribal moneys, and assessments by commodity commissions authorized to conduct research activities, including but not limited to research studies authorized under RCW 15.66-.030 and 15.65.040.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 28B RCW.

****NEW SECTION. Sec. 10. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void.***

*Sec. 10 was vetoed, see message at end of chapter.

Passed the House March 3, 1990.

Passed the Senate February 28, 1990.

Approved by the Governor March 29, 1990, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 29, 1990.

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

"I am returning herewith, without my approval as to section 10, Engrossed Substitute House Bill No. 2831 entitled:

"AN ACT Relating to matching grants for higher education scholarships."

This bill creates an endowed scholarship program to help American Indian students obtain a higher education. American Indians are the most under-represented ethnic minority group in higher education. Through this program, however, an educational opportunity can be made available to many American Indians who might not otherwise be able to attend and graduate from higher education institutions in the State of Washington.

Section 10 of this bill would nullify this act, if specific funding for its purposes is not provided in the 1990 Supplemental Budget. The veto of this section will allow the program to go into effect. Private cash donations could still be raised by the Higher Education Coordinating Board and members of the American Indian community should the Legislature not fund the program in the 1990 Supplemental Budget. The donations would be deposited into the American Indian Scholarship Endowment Fund, and the earnings from this fund would be available to provide scholarships for financially deserving American Indian students. For this reason, I have vetoed section 10 of this bill.

With the exception of section 10, Engrossed Substitute House Bill No. 2831 is approved."

CHAPTER 288

[Substitute Senate Bill No. 6626]

PLACEBOUND STUDENTS—EDUCATIONAL OPPORTUNITY

AN ACT Relating to higher education; adding a new section to chapter 28B.80 RCW; adding a new section to chapter 28B.10 RCW; adding a new chapter to Title 28B RCW; and repealing RCW 28B.80.530 and 28B.80.540.

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

NEW SECTION. Sec. 1. A new section is added to chapter 28B.80 RCW to read as follows:

The higher education coordinating board shall study upper division baccalaureate educational needs of placebound students, and the graduate educational needs of teachers, living in areas of the state not currently served by either existing four-year institutions or branch campuses. The study shall include recommendations on how the needs should be addressed, and which institutions should be responsible for serving specific areas.