
HOUSE BILL 1176

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Manweller, Pollet, and Haler

Read first time 01/18/13. Referred to Committee on Higher Education.

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

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

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

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

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

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

18 (3) Establish entrance requirements for students seeking admission
19 to the university which meet or exceed the standards specified under

1 RCW 28B.77.020. Completion of examinations satisfactory to the
2 university may be a prerequisite for entrance by any applicant at the
3 university's discretion. Evidence of completion of public high schools
4 and other educational institutions whose courses of study meet the
5 approval of the university may be acceptable for entrance.

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

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

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

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

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

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

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

37 (11) To confer honorary degrees upon persons who request an
38 honorary degree if they were students at the university in 1942 and did

1 not graduate because they were ordered into an internment camp. The
2 honorary degree may also be requested by a representative of deceased
3 persons who meet these requirements. For the purposes of this
4 subsection, "internment camp" means a relocation center to which
5 persons were ordered evacuated by Presidential Executive Order 9066,
6 signed February 19, 1942.

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

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

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

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

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

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

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

35 (6) With the assistance of the faculty of the university, prescribe
36 the courses of instruction in the various colleges, schools, and

1 departments of the institution and publish the necessary catalogues
2 thereof.

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

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

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

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

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

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

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

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

37 (15) Confer honorary degrees upon persons other than graduates of
38 the university in recognition of their learning or devotion to

1 literature, art, or science when recommended thereto by the faculty:
2 PROVIDED, That no degree shall ever be conferred in consideration of
3 the payment of money or the giving of property of whatsoever kind.

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

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

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

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

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

33 (21) Establish and maintain at least one agricultural experiment
34 station in an irrigation district to conduct investigational work upon
35 the principles and practices of irrigational agriculture including the
36 utilization of water and its relation to soil types, crops, climatic
37 conditions, ditch and drain construction, fertility investigations,

1 plant disease, insect pests, marketing, farm management, utilization of
2 fruit by-products, and general development of agriculture under
3 irrigation conditions.

4 (22) Supervise and control the agricultural experiment station at
5 Puyallup.

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

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

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

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

36 (27) Confer honorary degrees upon persons who request an honorary
37 degree if they were students at the university in 1942 and did not
38 graduate because they were ordered into an internment camp. The

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

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

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

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

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

21 (3) With the assistance of the faculty of the regional university,
22 shall prescribe the course of study in the various schools and
23 departments thereof and publish such catalogues thereof as the board
24 deems necessary: PROVIDED, That the Washington professional educator
25 standards board shall determine the requisites for and give program
26 approval of all courses leading to teacher certification by such board.

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

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

33 (6) May acquire real and other property as provided in RCW
34 28B.10.020, as now or hereafter amended.

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

1 (8) May establish, lease, operate, equip, and maintain self-
2 supporting facilities in the manner provided in RCW 28B.10.300 through
3 28B.10.330, as now or hereafter amended.

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

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

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

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

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

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

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

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

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

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

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

13 (6) May acquire real and other property as provided in RCW
14 28B.10.020, as now or hereafter amended.

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

18 (8) May establish, lease, operate, equip, and maintain self-
19 supporting facilities in the manner provided in RCW 28B.10.300 through
20 28B.10.330, as now or hereafter amended.

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

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

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

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

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

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