

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5954

Chapter 288, Laws of 1997

(partial veto)

55th Legislature
1997 Regular Session

CLAIMS AGAINST THE UNIVERSITY OF WASHINGTON--SELF-INSURANCE
REVOLVING FUND--MODIFICATIONS

EFFECTIVE DATE: 7/27/97

Passed by the Senate April 21, 1997
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 10, 1997
YEAS 98 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved May 7, 1997, with the
exception of section 2, which is
vetoed.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
ENGROSSED SENATE BILL 5954 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

MIKE O'CONNELL

Secretary

FILED

May 7, 1997 - 2:03 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5954

AS AMENDED BY THE HOUSE

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senators West, Swecker, Rossi, Snyder and Kohl

Read first time 02/21/97. Referred to Committee on Higher Education.

1 AN ACT Relating to claims against the University of Washington;
2 amending RCW 28B.20.253; providing an effective date; and declaring an
3 emergency.

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

5 **Sec. 1.** RCW 28B.20.253 and 1991 sp.s. c 13 s 117 are each amended
6 to read as follows:

7 (1) A self-insurance revolving fund in the custody of the
8 (~~treasurer~~) university is hereby created to be used solely and
9 exclusively by the board of regents of the University of Washington for
10 the following purposes:

11 (a) The payment of judgments against the university, its schools,
12 colleges, departments, and hospitals and against its regents, officers,
13 employees, agents, and students for whom the defense of an action,
14 claim, or proceeding has been provided pursuant to RCW 28B.20.250.

15 (b) The payment of claims against the university, its schools,
16 colleges, departments, and hospitals and against its regents, officers,
17 employees, agents, and students for whom the defense of an action,
18 claim, or proceeding has been provided pursuant to RCW 28B.20.250:

1 PROVIDED, That payment of claims in excess of twenty-five ((hundred))
2 thousand dollars must be approved by the state attorney general.

3 (c) For the cost of investigation, administration, and defense of
4 actions, claims, or proceedings, and other purposes essential to its
5 liability program.

6 (2) Said self-insurance revolving fund shall consist of periodic
7 payments by the University of Washington from any source available to
8 it in such amounts as are deemed reasonably necessary to maintain the
9 fund at levels adequate to provide for the anticipated cost of payments
10 of incurred claims and other costs to be charged against the fund.

11 (3) No money shall be paid from the self-insurance revolving fund
12 unless first approved by the board of regents, and unless all proceeds
13 available to the claimant from any valid and collectible liability
14 insurance shall have been exhausted.

15 ~~((4) The state investment board shall invest moneys in the self-~~
16 ~~insurance revolving fund. Moneys invested by the investment board~~
17 ~~shall be invested in accordance with RCW 43.84.150.))~~

18 ****NEW SECTION. Sec. 2. This act is necessary for the immediate***
19 ***preservation of the public peace, health, or safety, or support of the***
20 ***state government and its existing public institutions, and takes effect***
21 ***July 1, 1997.***

22 ****Sec. 2 was vetoed. See message at end of chapter.***

Passed the Senate April 21, 1997.

Passed the House April 10, 1997.

Approved by the Governor May 7, 1997, with the exception of certain
items that were vetoed.

Filed in Office of Secretary of State May 7, 1997.

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

2 "I am returning herewith, without my approval as to section 2,
3 Engrossed Senate Bill No. 5954 entitled:

4 "AN ACT Relating to claims against the University of Washington;"

5 This legislation moves the University of Washington's self-
6 insurance fund from the custody of the state treasurer to the
7 university, and makes the university the investment manager for the
8 fund rather than the state investment board. These changes simplify
9 the administrative procedures for using the fund by eliminating the
10 involvement of multiple agencies.

11 ESB 5954 includes an emergency clause in section 2. Although this
12 bill is important, it is not a matter for the immediate preservation of
13 the public peace, health or safety, or support of the state government
14 and its existing public institutions.

1 For this reason, I have vetoed section 2 of Engrossed Senate Bill
2 No. 5954.

3 With the exception of section 2, Engrossed Senate Bill No. 5954 is
4 approved."