

# SENATE BILL REPORT

## ESSB 5605

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As Passed Senate, January 19, 1996

**Title:** An act relating to prohibiting alcohol and drug use in state-owned college or university residences.

**Brief Description:** Prohibiting drug and alcohol use in state-owned college and university residences.

**Sponsors:** Senate Committee on Higher Education (originally sponsored by Senators Owen, Bauer, Sheldon, Wood, McAuliffe, Prince, Heavey, Drew, Winsley, Palmer, Deccio, Oke, Prentice and Schow).

**Brief History:**

**Committee Activity:** Higher Education: 2/9/95, 2/28/95 [DPS]; 1/11/96 [DP].  
Passed Senate, 3/13/95, 46-1; 1/19/96, 43-1.

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### SENATE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass.

Signed by Senators Bauer, Chair; Kohl, Vice Chair; A. Anderson, Drew, McAuliffe, Prince, Sheldon, West, Wood and Zarelli.

**Staff:** Jean Six (786-7423)

**Background:** In December 1994, researchers from the Harvard School of Public Health published a report in the Journal of the American Medical Association documenting the prevalence of undergraduate drinking, and the effect that drinkers have on other students.

**Summary of Bill:** Each public institution of higher education is required to notify all students of the availability of student housing in an area in which all use of liquor is prohibited. Upon request, each public college or university shall provide student housing on a residence hall floor, designated area, or in a building where use of liquor is prohibited. Each college and university shall have in place and distribute to residents, a process for reporting violations and complaints of illegal liquor and drug use. Each college and university shall have in place, and distribute to residents, and vigorously enforce policies and procedures for investigating complaints regarding liquor and illegal drug use in student housing.

Sanctions which may be applied for violations of the institution's liquor and illegal drug use policies include warnings, restitution for property damage, probation, expulsion from college and university housing, and suspension from the institution.

A report from each institution shall be submitted by December 1, 1996, to the House and Senate Higher Education Committees and shall include: (1) policies governing liquor and illegal drug use and abuse in student housing; (2) information on reported violations and

actions to address those violations; (3) efforts taken by institutions to prevent the use of, and educate students on the effect of, illegal drugs and liquor; and (4) copies of the Drug Free Schools and Community Act Biennial Report required by the Secretary of Education, U.S. Department of Education.

**Appropriation:** None.

**Fiscal Note:** Requested on January 30, 1995

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Attending college is expensive and the state is responsible to provide a quality learning environment including a safe living space for students. Dormitories are part of the learning environment. We can no longer tolerate a "boys will be boys" attitude. Students who choose to be non-drinkers deserve an alcohol free living environment. Ninety percent of students living in dormitories are under 21 years of age. Research demonstrates that the only effective policy requires a dry campus. Alcohol is behind 90 percent of the rapes and violence on campus. We need to protect non-abusers from the abusers. Currently, alcohol policies do exist on Washington campuses; however, denial is rampant.

**Testimony Against:** The comprehensive plans required by earlier legislation have been instrumental in expanding the education programs on our campuses. Substance abuse is taken very seriously; counseling and rehabilitative services are provided. The bill conflicts with privacy laws. The legislation is too broad and attempts to find the nonexistent easy answer. Prohibition will drive activity off-campus. While we support the concept, we cannot support an unenforceable measure.

**Testified:** Original Bill: Senator Brad Owen (pro); Dan Nicklaus, CWU student (con); George Durrie, Director of Gov't. Relations, EWU (con); Sherry Burkey, Gov't. Relations, UW (con); Larry Ganders, Gov't. Relations, WSU (con).