
ENGROSSED SUBSTITUTE HOUSE BILL 1326

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Mulliken, Chandler, Sheahan, Carlson, Benton, Blanton and Delvin)

Read first time 02/14/95.

1 AN ACT Relating to commercial activities by institutions of higher
2 education; adding a new section to chapter 28B.63 RCW; and declaring an
3 emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.63 RCW
6 to read as follows:

7 (1) This section shall not apply to commercial activities operating
8 in an institution of higher education before January 1, 1995.

9 (2) If a dispute arises regarding a proposed commercial activity
10 exempt or nonexempt under this chapter, the institutional governing
11 board shall at the official written request of a local chamber of
12 commerce or the local city council conduct a public hearing. The
13 request shall state with reasonable particularity the issue regarding
14 (a) the institution's commercial activity; or (b) compliance with the
15 policy development process in RCW 28B.63.030; or (c) exemptions to the
16 commercial activity policy development process. The request shall
17 include a statement of economic impact on the local area. The
18 statement shall include a brief description of the commercial activity,
19 the volume of business anticipated, the number of businesses in the

1 community involved in the same or a similar commercial activity and the
2 estimated fiscal impact of the activity on the local business
3 community. Written notice and an opportunity to be heard shall be
4 provided to all interested parties. Pending the outcome of the hearing
5 the institution shall not proceed with the proposed commercial activity
6 or act on the policy that is in question.

7 (3) If the dispute is not resolved after a governing board hearing
8 held in accordance with subsection (2) of this section the governing
9 board shall upon receipt of a petition opposing a proposed commercial
10 activity that is signed by fifty percent of local business persons
11 subject to taxation under chapter 82.04 RCW, direct the institution of
12 higher education to cease the activity or refrain from engaging in a
13 proposed activity.

14 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect immediately.

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