

CERTIFICATION OF ENROLLMENT

SENATE BILL 6557

Chapter 348, Laws of 2002

(partial veto)

57th Legislature
2002 Regular Session

HIGHER EDUCATION COORDINATING BOARD--CHAIR

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 11, 2002
YEAS 44 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 6, 2002
YEAS 93 NAYS 0

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6557** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved April 3, 2002, with the exception of section 2, which is vetoed.

FILED

April 3, 2002 - 10:56 a.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6557

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senators Kohl-Welles, Horn, Carlson, Shin, Jacobsen, Sheahan,
McAuliffe, Parlette and B. Sheldon

Read first time 01/21/2002. Referred to Committee on Higher Education.

1 AN ACT Relating to the selection of the chair of the higher
2 education coordinating board; and amending RCW 28B.80.390 and
3 28B.80.400.

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

5 **Sec. 1.** RCW 28B.80.390 and 1985 c 370 s 10 are each amended to
6 read as follows:

7 The board shall consist of nine members who are representative of
8 the public, including women and the racial minority community. All
9 members shall be appointed at large by the governor and approved by the
10 senate. ~~((The governor shall appoint the chair, who shall serve at the
11 governor's pleasure.))~~ Following the term of the chair serving on the
12 effective date of this section, the board shall select from its
13 membership a chair and a vice-chair who shall each serve a one-year
14 term. The chair and vice-chair may serve more than one term if
15 selected to do so by the membership.

16 ***Sec. 2.** RCW 28B.80.400 and 1985 c 370 s 11 are each amended to
17 read as follows:

1 *The members of the board(~~(, except the chair,)~~) shall serve for*
2 *terms of four years, the terms expiring on June 30th of the fourth year*
3 *of the term (~~(except that in the case of initial members, two shall be~~*
4 *appointed to two-year terms, three shall be appointed to three-year*
5 *terms, and three shall be appointed to four-year terms)).*

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

 Passed the Senate March 11, 2002.

 Passed the House March 6, 2002.

 Approved by the Governor April 3, 2002, with the exception of
 certain items that were vetoed.

 Filed in Office of Secretary of State April 3, 2002.

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

2 "I am returning herewith, without my approval as to section 2,
3 Senate Bill No. 6557 entitled:

4 "AN ACT Relating to the selection of the chair of the higher
5 education coordinating board;"

6 Senate Bill No. 6557 changes the structure of the Higher Education
7 Coordinating Board (HECB) to allow the HECB members to select the
8 chair, rather than the governor.

9 Currently, all members of the HECB serve four-year terms, except
10 the chair, who serves at the pleasure of the governor. Section 2 of
11 the bill would have changed the term of the chair to a four-year term
12 as well. However, it was unclear whether the four-year term limitation
13 for the chair applied to the current chair. The existing law, which is
14 retained by this veto, does not contain the same caveat as section 1 of
15 the bill regarding the term of the current chair. Accordingly, this
16 veto may create confusion regarding the length of the chair's term. I
17 ask the legislature to pass remedial legislation next year.

18 I endorse rotation of the chair among the board members in the
19 future, however it is a principle of the Washington State Constitution
20 that the term of an official should not be shortened while the official
21 is in office.

22 For these reasons, I have vetoed section 2 of Senate Bill No. 6557.

23 With the exception of section 2, Senate Bill No. 6557 is approved."