

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5001

Chapter 259, Laws of 2009

61st Legislature
2009 Regular Session

AMERICAN INDIAN ENDOWED SCHOLARSHIP PROGRAM--FUNDING

EFFECTIVE DATE: 07/26/09

Passed by the Senate March 3, 2009
YEAS 45 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House April 14, 2009
YEAS 65 NAYS 32

FRANK CHOPP

Speaker of the House of Representatives

Approved April 28, 2009, 4:23 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5001** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 29, 2009

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5001

Passed Legislature - 2009 Regular Session

State of Washington **61st Legislature** **2009 Regular Session**

By Senate Higher Education & Workforce Development (originally sponsored by Senators Jacobsen and Kauffman)

READ FIRST TIME 02/06/09.

1 AN ACT Relating to the American Indian endowed scholarship program;
2 amending RCW 28B.108.020 and 28B.108.060; and repealing RCW 28B.108.050
3 and 28B.108.070.

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

5 **Sec. 1.** RCW 28B.108.020 and 1990 c 287 s 3 are each amended to
6 read as follows:

7 The American Indian endowed scholarship program is created. The
8 program shall be administered by the higher education coordinating
9 board. In administering the program, the board's powers and duties
10 shall include but not be limited to:

11 (1) Selecting students to receive scholarships, with the assistance
12 of a screening committee composed of persons involved in helping
13 American Indian students to obtain a higher education. The membership
14 of the committee may include, but is not limited to representatives of:
15 Indian tribes, urban Indians, the governor's office of Indian affairs,
16 the Washington state Indian education association, and institutions of
17 higher education;

18 (2) Adopting necessary rules and guidelines;

19 (3) Publicizing the program;

1 (4) Accepting and depositing donations into the endowment fund
2 created in RCW 28B.108.060;

3 (5) Requesting from the state investment board and accepting from
4 the state treasurer moneys earned from (~~the trust fund and~~) the
5 endowment fund created in RCW (~~28B.108.050 and~~) 28B.108.060;

6 (6) Soliciting and accepting grants and donations from public and
7 private sources for the program; and

8 (7) Naming scholarships in honor of those American Indians from
9 Washington who have acted as role models.

10 **Sec. 2.** RCW 28B.108.060 and 2007 c 73 s 2 are each amended to read
11 as follows:

12 The American Indian scholarship endowment fund is created in the
13 custody of the state treasurer. The investment of the endowment fund
14 shall be managed by the state investment board. Funds appropriated by
15 the legislature for the endowment fund must be deposited into the fund.

16 (1) Moneys received from the higher education coordinating board,
17 private donations, state (~~matching~~) moneys, and funds received from
18 any other source may be deposited into the endowment fund. Private
19 moneys received as a gift subject to conditions may be deposited into
20 the fund.

21 (2) At the request of the higher education coordinating board, the
22 state investment board shall release earnings from the endowment fund
23 to the state treasurer. The state treasurer shall then release those
24 funds at the request of the higher education coordinating board for
25 scholarships. No appropriation is required for expenditures from the
26 endowment fund.

27 (3) When notified by the higher education coordinating board that
28 a condition attached to a gift of private moneys in the fund has
29 failed, the state investment board shall release those moneys to the
30 higher education coordinating board. The higher education coordinating
31 board shall then release the moneys to the donors according to the
32 terms of the conditional gift.

33 (4) The principal of the endowment fund shall not be invaded. The
34 release of moneys under subsection (3) of this section shall not
35 constitute an invasion of corpus.

36 (5) The earnings on the fund shall be used solely for the purposes

1 set forth in RCW 28B.108.040, except when the terms of a conditional
2 gift of private moneys in the fund require that a portion of earnings
3 on such moneys be reinvested in the fund.

4 NEW SECTION. **Sec. 3.** The following acts or parts of acts are each
5 repealed:

6 (1) RCW 28B.108.050 (Scholarship trust fund established) and 1991
7 sp.s. c 13 s 107 & 1990 c 287 s 6; and

8 (2) RCW 28B.108.070 (State matching funds) and 1993 c 372 s 2, 1991
9 c 228 s 12, & 1990 c 287 s 8.

Passed by the Senate March 3, 2009.

Passed by the House April 14, 2009.

Approved by the Governor April 28, 2009.

Filed in Office of Secretary of State April 29, 2009.