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**2SSB 6401** - S AMD **132**

By Senator Zarelli

 On page 15, after line 9, insert the following:

**"Sec. 7.** RCW 28B.15.031 and 2011 1st sp.s. c 10 s 2 are each amended to read as follows:

 (1) The term "operating fees" as used in this chapter shall include the fees, other than building fees, charged all students registering at the state's colleges and universities but shall not include fees for short courses, self-supporting degree credit programs and courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to impose, laboratory, gymnasium, health, technology and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon, or such other special fees as may be established by any college or university board of trustees or regents from time to time. All moneys received as operating fees at any institution of higher education shall be deposited in a local account containing only operating fees revenue and related interest: PROVIDED, That a minimum of five percent of operating fees shall be retained by the four-year institutions of higher education that increase tuition for resident undergraduate students above assumed tuition increases in the omnibus appropriations act, a minimum of four percent of operating fees shall be retained by four‑year institutions of higher education that do not increase tuition for resident undergraduates above assumed increases in the omnibus appropriations act, and a minimum of three and one-half percent of operating fees shall be retained by the community and technical colleges for the purposes of RCW 28B.15.820. At least thirty percent of operating fees required to be retained by the four-year institutions for purposes of RCW 28B.15.820 shall be used only for the purposes of RCW 28B.15.820(10).

 (2) In addition to the three and one-half percent of operating fees retained by the institutions under subsection (1) of this section, up to three percent of operating fees charged to students at community and technical colleges shall be transferred to the community and technical college innovation account for the implementation of the college board's strategic technology plan in RCW 28B.50.515. The percentage to be transferred to the community and technical college innovation account shall be determined by the college board each year but shall not exceed three percent of the operating fees collected each year.

 (3) Local operating fee accounts shall not be subject to appropriation by the legislature ((~~or~~)) but shall be subject to allotment procedures by budget program and fiscal year under chapter 43.88 RCW.

**Sec. 8.** RCW 43.88.150 and 2011 1st sp.s. c 50 s 948 are each amended to read as follows:

 (1) For those agencies that make expenditures from both appropriated and nonappropriated funds for the same purpose, the governor shall direct such agencies to charge their expenditures in such ratio, as between appropriated and nonappropriated funds, as will conserve appropriated funds. ((~~This subsection does not apply to~~ ))For institutions of higher education, as defined in RCW 28B.10.016, this subsection applies only to local operating fee accounts((~~except during the 2011-2013 fiscal biennium~~)).

 (2) Unless otherwise provided by law, if state moneys are appropriated for a capital project and matching funds or other contributions are required as a condition of the receipt of the state moneys, the state moneys shall be disbursed in proportion to and only to the extent that the matching funds or other contributions have been received and are available for expenditure.

 (3) The office of financial management shall adopt guidelines for the implementation of this section. The guidelines may account for federal matching requirements or other requirements to spend other moneys in a particular manner."

**2SSB 6401** S AMD

 By Senator Zarelli

 On page 1, line 2 of the title, after "41.06.157," insert "28B.15.031, 43.88.150,"

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|  |  EFFECT:   To support greater efficiencies in spending resources, makes higher education local operating fee accounts subject to allotment for budgeting purposes and requires institutions to ensure that expenditures of appropriated and nonappropriated accounts be balanced throughout each fiscal year. |

**--- END ---**