

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6655

Chapter 344, Laws of 1998
(partial veto)

55th Legislature
1998 Regular Session

INSTITUTIONS OF HIGHER EDUCATION IN THE SPOKANE AREA

EFFECTIVE DATE: 6/11/98 - Except section 2 which becomes effective on 4/3/98.

Passed by the Senate March 9, 1998
YEAS 27 NAYS 21

BRAD OWEN

President of the Senate

Passed by the House March 5, 1998
YEAS 64 NAYS 30

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 3, 1998, with the exception of sections 6 and 19, which are vetoed.

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6655** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

April 3, 1998 - 5:34 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6655

AS AMENDED BY THE HOUSE

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1998 Regular Session

By Senate Committee on Higher Education (originally sponsored by
Senators West and Brown)

Read first time 02/06/98.

1 AN ACT Relating to institutions of higher education; amending RCW
2 28B.10.029, 28B.45.050, 28B.13.020, and 43.01.236; adding a new section
3 to chapter 28B.35 RCW; adding a new chapter to Title 28B RCW; creating
4 new sections; repealing RCW 28B.25.010, 28B.25.020, 28B.25.030,
5 28B.25.033, 28B.25.037, 28B.25.040, 28B.25.050, 28B.25.070, 28B.25.075,
6 28B.25.090, 28B.25.100, 28B.25.900, and 28B.10.060; providing an
7 effective date; and declaring an emergency.

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

9 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
10 provide the necessary access to quality upper division and graduate
11 higher education opportunities for the citizens of Spokane. The
12 legislature intends that the Spokane branch campus of Washington State
13 University, offering upper-division and graduate programs, be located
14 at the Riverpoint Higher Education Park and that Washington State
15 University be the administrative and fiscal agent for the Riverpoint
16 Higher Education Park. In addition, those programs offered by Eastern
17 Washington University that meet the rules and guidelines established by
18 the higher education coordinating board's program approval process may
19 serve students at the Riverpoint Higher Education Park. The

1 legislature intends to streamline the program planning and approval
2 process in Spokane by eliminating the joint center for higher
3 education; thereby treating the Spokane higher education community like
4 other public higher education communities in Washington that receive
5 program approval from the higher education coordinating board.
6 However, the legislature encourages partnerships, collaboration, and
7 avoidance of program duplication through regular communication among
8 the presidents of Spokane's public and private institutions of higher
9 education. The legislature further intends that the residential
10 mission of Eastern Washington University in Cheney be strengthened and
11 that Eastern Washington University focus on the excellence of its
12 primary campus in Cheney.

13 In addition, the legislature finds that the Spokane intercollegiate
14 research and technology institute is a vital and necessary element in
15 the academic and economic future of eastern Washington. The
16 legislature also finds that it is in the interest of the state of
17 Washington to support and promote applied research and technology in
18 areas of the state that, because of geographic or historic
19 circumstances, have not developed fully balanced economies. It is the
20 intent of the legislature that institutions of higher education and the
21 department of community, trade, and economic development work
22 cooperatively with the private sector in the development and
23 implementation of a technology transfer and integration program to
24 promote the economic development and enhance the quality of life in
25 eastern Washington.

26 NEW SECTION. **Sec. 2.** (1) The higher education coordinating board
27 shall manage an assessment that determines the current higher education
28 resources of the greater Spokane area and the current and future
29 capital and programmatic higher education needs of the Spokane area,
30 including the balance among anticipated, unmet, and fully met higher
31 education needs. This assessment shall be coordinated with an economic
32 analysis of the greater Spokane area.

33 (2) The higher education coordinating board, in coordination with
34 the office of financial management, the employment security department,
35 and the department of community, trade, and economic development, shall
36 oversee the administration of an economic assessment of the greater
37 Spokane area. This assessment shall reference previous economic
38 studies of the greater Spokane area and include:

1 (a) Input from Spokane area civic leaders as well as the higher
2 education and business communities;

3 (b) An evaluation of the current economic situation in the greater
4 Spokane area and potential sectors and subsectors for significant job
5 expansion;

6 (c) An analysis of the possible transformation of the economic base
7 toward high technology and opportunities for industries producing
8 higher wages; and

9 (d) An evaluation of the basic and applied research resources and
10 needs of the present and future economy of the area.

11 (3) The assessments in subsections (1) and (2) of this section
12 shall be completed by July 1, 1998, and a final report submitted to the
13 higher education and fiscal committees of the legislature by October 1,
14 1998.

15 (4) By December 1, 1998, based on the findings of the assessments
16 in subsections (1) and (2) of this section, the higher education
17 coordinating board shall evaluate and develop a plan for the
18 disposition of the Eastern Washington University Spokane Center
19 Building.

20 (5)(a) By December 1, 1998, based on the findings of the
21 assessments in subsections (1) and (2) of this section, Washington
22 State University shall develop and deliver to the higher education
23 coordinating board for approval a plan for the management of the
24 Riverpoint Higher Education Park, excluding the land and the Spokane
25 Intercollegiate Research and Technology Institute, that includes:

26 (i) Capital facilities maintenance and development;

27 (ii) Coordination of upper-division course offerings; and

28 (iii) The coordination of graduate programs in Spokane.

29 (b) In developing the plan in (a) of this subsection, Washington
30 State University shall:

31 (i) Assume that Eastern Washington University students enrolled in
32 Eastern Washington University courses will pay Eastern Washington
33 University tuition rates; and

34 (ii) Emphasize and implement a maximum level of collaboration and
35 partnerships by Eastern Washington University, Washington State
36 University, and private institutions of higher education at the
37 Riverpoint Higher Education Park.

38 (c) Washington State University shall submit a preliminary higher
39 education services plan for the Riverpoint Higher Education Park to the

1 higher education coordinating board by September 1, 1998, and a final
2 plan to the higher education coordinating board and the office of
3 financial management by October 15, 1998. The plan shall incorporate,
4 but not be limited to:

5 (i) Relocation of all Spokane-based upper-division and graduate
6 course offerings and academic programs offered by public universities
7 in the city of Spokane to the Riverpoint Higher Education Park, using
8 existing and planned structures at the Riverpoint Higher Education
9 Park, except that the nursing courses and programs located in the
10 intercollegiate center for nursing education facility shall remain at
11 that location; and

12 (ii) A plan to establish an intercollegiate health sciences
13 consortium that would be modeled on the intercollegiate center for
14 nursing education. The intercollegiate health sciences consortium
15 shall include, but not be limited to, programs offered through the
16 intercollegiate center for nursing education and public and private
17 institutions of higher education. Programs offered by Eastern
18 Washington University in physical therapy, communication disorders,
19 nursing, and dental hygiene shall continue to be offered by Eastern
20 Washington University in Spokane.

21 (6) Washington State University, in consultation with the higher
22 education coordinating board, shall write a new mission statement and
23 operations plan for its Spokane branch campus. The draft mission
24 statement and plan shall be submitted to the higher education
25 coordinating board by September 1, 1998, and a final mission statement
26 and plan shall be submitted to the higher education coordinating board
27 for approval by October 15, 1998. The academic mission and plan shall
28 include, but not be limited to the following elements:

29 (a) Identifying those academic centers of excellence on which
30 Washington State University Spokane branch campus should focus, build,
31 and expand in order to enhance its upper-division and graduate
32 enrollment;

33 (b) Reflecting that programs in physical therapy, communications
34 disorders, nursing, and dental hygiene continue to be offered through
35 Eastern Washington University in Spokane;

36 (c) Including a requirement that Washington State University
37 identify and report to the higher education coordinating board programs
38 that should be offered in Spokane because of documented demand, unique
39 partnerships, demonstrated efficiency, and other considerations. The

1 draft of the report shall be submitted to the higher education
2 coordinating board by September 1, 1998, and the final report shall be
3 submitted to the higher education coordinating board by October 15,
4 1998;

5 (d) Ensuring that undergraduate programs that are offered at
6 Washington State University Spokane branch campus do not duplicate
7 undergraduate programs offered by Eastern Washington University at
8 Cheney;

9 (e) Describing and targeting Washington State University Spokane
10 branch campus's primary student audience;

11 (f) Ensuring that Washington State University Spokane branch
12 campus's admission standards complement the primary student audience;

13 (g) Describing circumstances under which it is appropriate for
14 Washington State University Spokane branch campus programs to serve
15 nonprimary students;

16 (h) Establishing projected enrollment levels for Washington State
17 University Spokane branch campus that reflect the needs of a upper-
18 division and graduate level branch campus and that account for the
19 demographic qualities and growth patterns associated with the areas
20 from which the branch campus draws its students;

21 (i) Describing how Washington State University Spokane branch
22 campus's enrollment levels will be consistent with state enrollment
23 levels;

24 (j) Developing financial projections for serving these projected
25 enrollment levels; and

26 (k) Analyzing and reviewing all capital and capacity information
27 regarding the Washington State University Spokane branch campus, with
28 particular attention to the current state of the existing physical
29 plant and to the realistic enrollment capacity of the campus.

30 (7) Eastern Washington University, in consultation with the higher
31 education coordinating board, shall write a new mission statement and
32 operations plan for Eastern Washington University as a comprehensive,
33 Cheney-based public institution of higher education. The draft mission
34 statement and plan shall be submitted to the higher education
35 coordinating board by September 1, 1998, and a final mission statement
36 and plan shall be submitted to the higher education coordinating board
37 for approval by October 15, 1998. The academic mission and plan shall
38 include, but not be limited to the following elements:

1 (a) Identifying those academic centers of excellence on which
2 Eastern Washington University should focus, build, and expand in order
3 to enhance its enrollment and reaffirm its reputation for academic
4 excellence;

5 (b) Reflecting that programs in physical therapy, communications
6 disorders, nursing, and dental hygiene continue to be offered through
7 Eastern Washington University in Spokane;

8 (c) Including a requirement that Eastern Washington University
9 identify and report to the higher education coordinating board program
10 offerings in Spokane that should be returned to the Cheney campus,
11 discontinued, or continued to be offered in Spokane because of
12 documented demand, unique partnerships, demonstrated efficiency, and
13 other considerations. The draft of the report shall be submitted to
14 the higher education coordinating board by September 1, 1998, and the
15 final report shall be submitted to the higher education coordinating
16 board by October 15, 1998;

17 (d) Ensuring that every effort is made to protect the academic
18 interests of and minimize adverse impacts on Eastern Washington
19 University students;

20 (e) Describing and targeting Eastern Washington University's
21 primary student audience;

22 (f) Ensuring that Eastern Washington University's admission
23 standards complement the primary student audience;

24 (g) Describing circumstances under which it is appropriate for
25 Eastern Washington University programs to serve nonprimary students;

26 (h) Establishing projected enrollment levels for Eastern Washington
27 University that reflect the needs of a comprehensive university and
28 that account for the demographic qualities and growth patterns
29 associated with the areas from which Eastern Washington University
30 draws its students;

31 (i) Describing how Eastern Washington University's enrollment
32 levels will be consistent with state enrollment levels;

33 (j) Developing financial projections for serving these reconfigured
34 enrollment levels; and

35 (k) Analyzing and reviewing all capital and capacity information
36 regarding the Eastern Washington University Cheney campus, with
37 particular attention to the current state of the existing physical
38 plant and to the realistic enrollment capacity of the campus.

1 (8) By December 1, 1998, the higher education coordinating board
2 shall evaluate the mission statements and operations plans required in
3 this section and submit a report to the higher education and fiscal
4 committees of the legislature.

5 NEW SECTION. **Sec. 3.** (1) On July 1, 1998, title to or all
6 interest in real estate and other assets, including but not limited to
7 assignable contracts, cash, equipment, buildings, facilities, and
8 appurtenances related to Riverpoint park, except for the area of real
9 property defined as the approximate two and one-half acres bounded by
10 the Spokane river, Trent Avenue, and Riverpoint Boulevard that is
11 reserved for the Spokane intercollegiate research and technology
12 institute and its expansion, shall be transferred from the joint center
13 for higher education to Washington State University.

14 (2) All interest in real estate and other assets, including but not
15 limited to assignable contracts, cash, equipment, buildings,
16 facilities, and appurtenances related to the Spokane intercollegiate
17 research and technology institute held as of July 1, 1998, shall vest
18 in the Spokane intercollegiate institute of technology. The area of
19 the real property related to the Spokane intercollegiate institute of
20 technology is defined as the approximate two and one-half acres bounded
21 by the Spokane river, Trent Avenue, and Riverpoint Boulevard.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.35 RCW
23 to read as follows:

24 Housing or a housing allowance may only be provided for the
25 president of a public four-year institution of higher education who
26 resides in the location where the institution is designated under RCW
27 28B.20.010, 28B.30.010, 28B.35.010, and 28B.40.010.

28 **Sec. 5.** RCW 28B.10.029 and 1996 c 110 s 5 are each amended to read
29 as follows:

30 (1) An institution of higher education may exercise independently
31 those powers otherwise granted to the director of general
32 administration in chapter 43.19 RCW in connection with the purchase and
33 disposition of all material, supplies, services, and equipment needed
34 for the support, maintenance, and use of the respective institution of
35 higher education. Property disposition policies followed by
36 institutions of higher education shall be consistent with policies

1 followed by the department of general administration. Purchasing
2 policies and procedures followed by institutions of higher education
3 shall be in compliance with chapters 39.19, 39.29, and 43.03 RCW, and
4 RCW 43.19.1901, 43.19.1906, 43.19.1911, 43.19.1917, 43.19.1937,
5 43.19.534, 43.19.685, 43.19.700 through 43.19.704, and 43.19.550
6 through 43.19.637. The community and technical colleges shall comply
7 with RCW 43.19.450. Except for the University of Washington,
8 institutions of higher education shall comply with RCW 43.19.1935,
9 43.19.19363, and 43.19.19368. If an institution of higher education
10 can satisfactorily demonstrate to the director of the office of
11 financial management that the cost of compliance is greater than the
12 value of benefits from any of the following statutes, then it shall be
13 exempt from them: RCW 43.19.685; 43.19.534; and 43.19.637. Any
14 institution of higher education that chooses to exercise independent
15 purchasing authority for a commodity or group of commodities shall
16 notify the director of general administration. Thereafter the director
17 of general administration shall not be required to provide those
18 services for that institution for the duration of the general
19 administration contract term for that commodity or group of
20 commodities.

21 (2) An institution of higher education may exercise independently
22 those powers otherwise granted to the public printer in chapter 43.78
23 RCW in connection with the production or purchase of any printing and
24 binding needed by the respective institution of higher education.
25 Purchasing policies and procedures followed by institutions of higher
26 education shall be in compliance with chapter 39.19 RCW. Any
27 institution of higher education that chooses to exercise independent
28 printing production or purchasing authority shall notify the public
29 printer. Thereafter the public printer shall not be required to
30 provide those services for that institution.

31 ~~((3) For the purposes of this section, an "institution of higher
32 education" shall include the joint center for higher education created
33 in chapter 28B.25 RCW when the joint center for higher education is
34 contracting with another institution of higher education that is acting
35 as the sole agent for purchasing and disposing of material, supplies,
36 services, and equipment, and for procuring printing or binding
37 services.))~~

1 **Sec. 6. RCW 28B.45.050 and 1991 c 205 s 11 are each amended to*
2 *read as follows:*

3 *Washington State University (~~and Eastern Washington University~~*
4 *are)) is responsible for (~~providing~~) ensuring the expansion of upper-*
5 *division and graduate level higher education programs to the citizens*
6 *of (~~the~~) Spokane (~~area~~), under rules or guidelines adopted by the*
7 *(~~joint center for higher education. However, before any degree is~~*
8 *authorized under this section it shall be subject to the review and*
9 *approval of the)) higher education coordinating board. The rules*
10 *adopted by the higher education coordinating board shall: (1) Avoid*
11 *program duplication; and (2) encourage collaboration between Washington*
12 *State University and Eastern Washington University on the delivery of*
13 *graduate level programs in Spokane. Washington State University shall*
14 *meet (~~its~~) that responsibility through the operation of a branch*
15 *campus in (~~the~~) Spokane (~~area. Eastern Washington University shall~~*
16 *meet its responsibility through the operation of programs and*
17 *facilities in Spokane)).*

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

19 **Sec. 7.** RCW 28B.130.020 and 1997 c 273 s 2 are each amended to
20 read as follows:

21 (1) The governing board of an institution of higher education as
22 defined in RCW 28B.10.016 may impose either a voluntary or a mandatory
23 transportation fee on employees and on students at the institution.
24 The board of (~~the joint center for higher education under chapter~~
25 ~~28B.25 RCW~~) regents of Washington State University may impose either
26 a voluntary or a mandatory transportation fee on faculty and staff
27 working at the Riverpoint higher education park and on students
28 attending classes there. The transportation fee shall be used solely
29 to fund transportation demand management programs that reduce the
30 demand for campus and neighborhood parking, and promote alternatives to
31 single-occupant vehicle driving. If the board charges a mandatory
32 transportation fee to students, it shall charge a mandatory
33 transportation fee to employees. The transportation fee for employees
34 may exceed, but shall not be lower than the transportation fee charged
35 to students. The transportation fee for employees may be deducted from
36 the employees' paychecks. The transportation fee for students may be
37 imposed annually, or each academic term. For students attending
38 community colleges and technical colleges, the mandatory transportation

1 fee shall not exceed sixty percent of the maximum rate permitted for
2 services and activities fees at community colleges, unless, through a
3 vote, a majority of students consent to increase the transportation
4 fee. For students attending four-year institutions of higher education
5 or classes at the Riverpoint higher education park, the mandatory
6 transportation fee shall not exceed thirty-five percent of the maximum
7 rate permitted for services and activities fees at the institution
8 where the student is enrolled unless, through a vote, a majority of
9 students consents to increase the transportation fee. The board may
10 make a limited number of exceptions to the fee based on a policy
11 adopted by the board.

12 (2) The board of (~~the joint center for higher education under~~
13 ~~chapter 28B.25 RCW~~) regents of Washington State University shall not
14 impose a transportation fee on any student who is already paying a
15 transportation fee to the institution of higher education in which the
16 student is enrolled.

17 **Sec. 8.** RCW 43.01.236 and 1997 c 273 s 3 are each amended to read
18 as follows:

19 All institutions of higher education as defined under RCW
20 28B.10.016 (~~and the joint center for higher education under chapter~~
21 ~~28B.25 RCW~~) are exempt from the requirements under RCW 43.01.240.

22 NEW SECTION. **Sec. 9.** SPOKANE INTERCOLLEGIATE RESEARCH AND
23 TECHNOLOGY INSTITUTE. (1) The Spokane intercollegiate research and
24 technology institute is created.

25 (2) The institute shall be operated and administered as a multi-
26 institutional education and research center, housing appropriate
27 programs conducted in Spokane under the authority of institutions of
28 higher education as defined in RCW 28B.10.016. Washington independent
29 and private institutions of higher education may participate as full
30 partners in any academic and research activities of the institute.

31 (3) The institute shall house education and research programs
32 specifically designed to meet the needs of eastern Washington.

33 (4) The establishment of any education program at the institute and
34 the lease, purchase, or construction of any site or facility for the
35 institute is subject to the approval of the higher education
36 coordinating board under RCW 28B.80.340.

37 (5) The institute shall be headquartered in Spokane.

1 (6) The mission of the institute is to perform and commercialize
2 research that benefits the intermediate and long-term economic vitality
3 of eastern Washington and to develop and strengthen university-industry
4 relationships through the conduct of research that is primarily of
5 interest to eastern Washington-based companies or state economic
6 development programs. The institute shall:

7 (a) Perform and facilitate research supportive of state science and
8 technology objectives, particularly as they relate to eastern
9 Washington industries;

10 (b) Provide leading edge collaborative research and technology
11 transfer opportunities primarily to eastern Washington industries;

12 (c) Provide substantial opportunities for training undergraduate
13 and graduate students through direct involvement in research and
14 industry interactions;

15 (d) Emphasize and develop nonstate support of the institute's
16 research activities; and

17 (e) Provide a forum for effective interaction between the state's
18 technology-based industries and its academic institutions through
19 promotion of faculty collaboration with industry, particularly within
20 eastern Washington.

21 NEW SECTION. **Sec. 10.** ADMINISTRATION--BOARD OF DIRECTORS. (1)
22 The institute shall be administered by the board of directors.

23 (2) The board shall consist of the following members:

24 (a) Nine members of the general public. Of the general public
25 membership, at least six shall be individuals who are associated with
26 or employed by technology-based or manufacturing-based industries and
27 have broad business experience and an understanding of high technology;

28 (b) The executive director of the Washington technology center or
29 the director's designee;

30 (c) The provost of Washington State University or the provost's
31 designee;

32 (d) The provost of Eastern Washington University or the provost's
33 designee;

34 (e) The provost of Central Washington University or the provost's
35 designee;

36 (f) The provost of the University of Washington or the provost's
37 designee;

38 (g) An academic representative from the Spokane community colleges;

1 (h) One member from Gonzaga University; and

2 (i) One member from Whitworth College.

3 (3) The term of office for each board member, excluding the
4 executive director of the Washington technology center, the provosts of
5 Washington State University, Eastern Washington University, Central
6 Washington University, and the University of Washington, shall be three
7 years. The executive director of the institute shall be an ex officio,
8 nonvoting member of the board. Board members shall be appointed by the
9 governor. Initial appointments shall be for staggered terms to ensure
10 the long-term continuity of the board. The board shall meet at least
11 quarterly.

12 (4) The duties of the board include:

13 (a) Developing the general operating policies for the institute;

14 (b) Appointing the executive director of the institute;

15 (c) Approving the annual operating budget of the institute;

16 (d) Establishing priorities for the selection and funding of
17 research projects that guarantee the greatest potential return on the
18 state's investment;

19 (e) Approving and allocating funding for research projects
20 conducted by the institute;

21 (f) In cooperation with the department of community, trade, and
22 economic development, developing a biennial work plan and five-year
23 strategic plan for the institute that are consistent with the state-
24 wide technology development and commercialization goals;

25 (g) Coordinating with public, independent, and private institutions
26 of higher education, and other participating institutions of higher
27 education in the development of training, research, and development
28 programs to be conducted at the institute that are targeted to meet
29 industrial needs;

30 (h) Assisting the department of community, trade, and economic
31 development in the department's efforts to develop state science and
32 technology public policies and coordinate publicly funded programs;

33 (i) Reviewing annual progress reports on funded research projects;

34 (j) Providing an annual report to the governor and the legislature
35 detailing the activities and performance of the institute; and

36 (k) Submitting annually to the department of community, trade, and
37 economic development an updated strategic plan and a statement of
38 performance measured against the mission, roles, and contractual
39 obligations of the institute.

1 (5) The board may enter into contracts to fulfill its
2 responsibilities and purposes under this chapter.

3 NEW SECTION. **Sec. 11.** SUPPORT FROM PARTICIPATING INSTITUTIONS.
4 Staff support for programs will be provided from among the cooperating
5 institutions through cooperative agreements. Cooperating institutions
6 are Washington State University as the senior research partner, Eastern
7 Washington University, Central Washington University, the University of
8 Washington, Gonzaga University, Whitworth College, and other
9 participating institutions of higher education.

10 NEW SECTION. **Sec. 12.** OPERATING STAFF. The director of the
11 Spokane intercollegiate research and technology institute may hire
12 staff as necessary to operate the institution. The director may enter
13 into cooperative agreements for programs and research with public and
14 private organizations including state and nonstate funding agencies
15 consistent with policies of the Spokane intercollegiate research and
16 technology institute.

17 NEW SECTION. **Sec. 13.** ROLE OF DEPARTMENT OF COMMUNITY, TRADE, AND
18 ECONOMIC DEVELOPMENT. The department of community, trade, and economic
19 development shall contract with the institute for the expenditure of
20 state-appropriated funds for the operation of the institute. The
21 department of community, trade, and economic development shall provide
22 guidance to the institute regarding expenditure of state-appropriated
23 funds and the development of the institute's strategic plan. The
24 director of the department of community, trade, and economic
25 development shall not withhold funds appropriated for the institute if
26 the institute complies with the provisions of its contract with the
27 department of community, trade, and economic development. The
28 department is responsible to the legislature for the contractual
29 performance of the institute.

30 NEW SECTION. **Sec. 14.** AVAILABILITY OF FACILITIES TO OTHER
31 INSTITUTIONS. The facilities of the institute shall be made available
32 to other institutions of higher education within the state when this
33 would benefit specific program needs.

1 NEW SECTION. **Sec. 15.** AUTHORITY TO RECEIVE AND EXPEND FEDERAL
2 FUNDS. The board may receive and expend federal funds and any private
3 gifts or grants to further the purpose of the institute. The funds are
4 to be expended in accordance with federal and state law and any
5 conditions contingent in the grant of those funds.

6 NEW SECTION. **Sec. 16.** CAPTIONS NOT LAW. Captions used in this
7 chapter are not any part of the law.

8 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
9 each repealed:

- 10 (1) RCW 28B.25.010 and 1991 c 205 s 2 & 1985 c 370 s 97;
- 11 (2) RCW 28B.25.020 and 1996 c 110 s 1, 1991 c 205 s 3, 1989 1st
12 ex.s. c 7 s 11, & 1985 c 370 s 98;
- 13 (3) RCW 28B.25.030 and 1996 c 110 s 2, 1991 c 205 s 4, & 1985 c 370
14 s 99;
- 15 (4) RCW 28B.25.033 and 1996 c 110 s 6 & 1991 c 205 s 5;
- 16 (5) RCW 28B.25.037 and 1991 c 205 s 6;
- 17 (6) RCW 28B.25.040 and 1991 c 205 s 7 & 1985 c 370 s 100;
- 18 (7) RCW 28B.25.050 and 1991 c 205 s 8 & 1985 c 370 s 101;
- 19 (8) RCW 28B.25.070 and 1991 c 205 s 9;
- 20 (9) RCW 28B.25.075 and 1997 c 273 s 1;
- 21 (10) RCW 28B.25.090 and 1996 c 110 s 3;
- 22 (11) RCW 28B.25.100 and 1996 c 110 s 4;
- 23 (12) RCW 28B.25.900 and 1991 c 205 s 13; and
- 24 (13) RCW 28B.10.060 and 1991 c 205 s 1 & 1989 1st ex.s. c 7 s 10.

25 NEW SECTION. **Sec. 18.** Sections 9 through 16 of this act
26 constitute a new chapter in Title 28B RCW.

27 ****NEW SECTION. Sec. 19. Section 6 of this act takes effect January***
28 ***1, 1999.***

29 ****Sec. 19 was vetoed. See message at end of chapter.***

30 NEW SECTION. **Sec. 20.** Section 2 of this act is necessary for the
31 immediate preservation of the public peace, health, or safety, or
32 support of the state government and its existing public institutions,
33 and takes effect immediately.

Passed the Senate March 9, 1998.

Passed the House March 5, 1998.

Approved by the Governor April 3, 1998, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 1998.

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

2 "I am returning herewith, without my approval as to sections 6 and
3 19, Substitute Senate Bill No. 6655 entitled:

4 "AN ACT Relating to institutions of higher education;"

5 Substitute Senate Bill No. 6655 makes several important changes to
6 statutes regarding higher education in the Spokane area. Many of its
7 provisions enact recommendations developed by the Higher Education
8 Coordinating (HEC) Board at my request. I commend the HEC Board for
9 its comprehensive assessment performed on short notice, and I commend
10 the Legislature for its enactment of many of the HEC Board's
11 recommendations.

12 SSB 6655 dissolves the Spokane Joint Center for Higher Education
13 (the "Joint Center") and transfers the majority of its duties and real
14 estate and other assets to Washington State University (WSU). WSU is
15 required to develop a plan for the management of the Joint Center's
16 Riverpoint Park facility, and a new mission statement and operations
17 plan for its Spokane branch campus.

18 Under SSB 6655, the Spokane Intercollegiate Research and Technology
19 Institute (SIRTI) will no longer be under the authority of the Joint
20 Center. It will be separately established with its own board of
21 directors and more clearly affiliated with the economic development
22 efforts of the Department of Community, Trade and Economic Development.

23 The bill also requires the HEC Board to manage an assessment of
24 current and future higher education capital and programmatic needs in
25 Spokane, and also an economic assessment of the Spokane area addressing
26 job expansion, technology-based high wage job development, and basic
27 and applied research needs.

28 SSB 6655 requires Eastern Washington University (EWU) to develop a
29 new mission statement and operations plan for comprehensive higher
30 education based in Cheney. In addition, the value and role of EWU in
31 Spokane is recognized along with the overriding values of collaboration
32 and coordination among the various public and private higher education
33 institutions in the Spokane area.

34 Section 6 of SSB 6655 would replicate ambiguous language in other
35 sections of law regarding service delivery control and responsibility
36 for branch campuses. It would not recognize the unique situation in
37 Spokane where two public universities each have a major presence.
38 Section 6 would confuse the roles, opportunity and value offered by EWU
39 and other institutions in the Spokane area. It would leave open an
40 interpretation that these institutions would be excluded from
41 participating in higher education offered at Spokane, which was not the
42 intent of the HEC Board's recommendations. Section 19 establishes an
43 effective date for section 6, and is unnecessary after my veto of
44 section 6.

1 For these reasons, I have vetoed sections 6 and 19 of Substitute
2 Senate Bill No. 6655.

3 With the exception of sections 6 and 19, Substitute Senate Bill No.
4 6655 is approved."