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**SUBSTITUTE SENATE BILL 5442**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Higher Education (originally sponsored by Senators Hobbs, Shin, Hewitt, Zarelli, Swecker, Roach, Clements, Kauffman, Kilmer, Pridemore, Hatfield, Keiser, Parlette, Haugen, McAuliffe, Delvin, Benton, Rasmussen and Holmquist)

READ FIRST TIME 02/22/07.

1 AN ACT Relating to tuition waivers for eligible veteran or national  
2 guard medal recipients; and amending RCW 28B.15.621 and 28B.15.910.

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

4 **Sec. 1.** RCW 28B.15.621 and 2005 c 249 s 1 are each amended to read  
5 as follows:

6 (1) The legislature finds that active military and naval veterans,  
7 reserve military and naval veterans, and national guard members called  
8 to active duty have served their country and have risked their lives to  
9 defend the lives of all Americans and the freedoms that define and  
10 distinguish our nation. The legislature intends to honor active  
11 military and naval veterans, reserve military and naval veterans, and  
12 national guard members who have served on active military or naval duty  
13 for the public service they have provided to this country.

14 (2) Subject to the limitations in RCW 28B.15.910, the governing  
15 boards of the state universities, the regional universities, The  
16 Evergreen State College, and the community colleges, may waive all or  
17 a portion of tuition and fees for the following persons:

18 (a) An eligible veteran or national guard member;

1 (b) A child and the spouse of an eligible veteran or national guard  
2 member who became totally disabled as defined in RCW 28B.15.385 while  
3 engaged in active federal military or naval service, or who is  
4 determined by the federal government to be a prisoner of war or missing  
5 in action;

6 (c) A child and the surviving spouse of an eligible veteran or  
7 national guard member who lost his or her life while engaged in active  
8 federal military or naval service. However, upon remarriage, the  
9 surviving spouse of an eligible veteran or national guard member is  
10 ineligible for a waiver under this section.

11 (3) The governing boards of the state universities, the regional  
12 universities, The Evergreen State College, and the community colleges  
13 may waive all tuition and fees for the following persons:

14 (a) An eligible medal recipient;

15 (b) A child and the spouse of an eligible veteran or national guard  
16 member who became totally disabled as defined in RCW 28B.15.385 while  
17 engaged in active federal military or naval service, or who is  
18 determined by the federal government to be a prisoner of war or missing  
19 in action;

20 (c) A child and the surviving spouse of an eligible veteran or  
21 national guard member who lost his or her life while engaged in active  
22 federal military or naval service. However, upon remarriage, the  
23 surviving spouse of an eligible veteran or national guard member is  
24 ineligible for a waiver under this section.

25 (4) The governing boards of the state universities, the regional  
26 universities, The Evergreen State College, and the community colleges,  
27 may waive all or a portion of tuition and fees for a military or naval  
28 veteran who is a Washington domiciliary, but who did not serve on  
29 foreign soil or in international waters or in another location in  
30 support of those serving on foreign soil or in international waters and  
31 who does not qualify as an eligible veteran or national guard member  
32 under subsection ~~((+5))~~ (6) of this section. However, there shall be  
33 no state general fund support for waivers granted under this  
34 subsection.

35 ~~((+4))~~ (5) Private vocational schools and private higher education  
36 institutions are encouraged to provide waivers consistent with the  
37 terms in subsections (2) ~~((and (3)))~~ through (4) of this section.

1        ~~((5) As used in this section)~~ (6) The definitions in this  
2 subsection apply throughout this section.

3        (a) "Eligible veteran or national guard member" means a Washington  
4 domiciliary who was an active or reserve member of the United States  
5 military or naval forces, or a national guard member called to active  
6 duty, who served in active federal service, under either Title 10 or  
7 Title 32 of the United States Code, in a war or conflict fought on  
8 foreign soil or in international waters or in another location in  
9 support of those serving on foreign soil or in international waters,  
10 and if discharged from service, has received an honorable discharge.

11        (b) "Eligible medal recipient" means a Washington domiciliary who  
12 is an active, reserve, or national guard service member, or any  
13 honorably discharged service member from any of the service branches or  
14 components of the United States military or naval forces, who has  
15 resided in this state for a minimum of one year and who has been  
16 awarded either the Afghanistan campaign medal, Iraq campaign medal, or  
17 global war on terrorism expeditionary medal.

18        **Sec. 2.** RCW 28B.15.910 and 2006 c 229 s 2 are each amended to read  
19 as follows:

20        (1) For the purpose of providing state general fund support to  
21 public institutions of higher education, except for revenue waived  
22 under programs listed in subsections (3) and (4) of this section, and  
23 unless otherwise expressly provided in the omnibus state appropriations  
24 act, the total amount of operating fees revenue waived, exempted, or  
25 reduced by a state university, a regional university, The Evergreen  
26 State College, or the community colleges as a whole, shall not exceed  
27 the percentage of total gross authorized operating fees revenue in this  
28 subsection. As used in this section, "gross authorized operating fees  
29 revenue" means the estimated gross operating fees revenue as estimated  
30 under RCW 82.33.020 or as revised by the office of financial  
31 management, before granting any waivers. This limitation applies to  
32 all tuition waiver programs established before or after July 1, 1992.

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| 33        (a) University of Washington      | 21 percent |
| 34        (b) Washington State University   | 20 percent |
| 35        (c) Eastern Washington University | 11 percent |
| 36        (d) Central Washington University | 8 percent  |
| 37        (e) Western Washington University | 10 percent |

- 1 (f) The Evergreen State College 6 percent
- 2 (g) Community colleges as a whole 35 percent
- 3 (2) The limitations in subsection (1) of this section apply to
- 4 waivers, exemptions, or reductions in operating fees contained in the
- 5 following:
  - 6 (a) RCW 28B.15.014;
  - 7 (b) RCW 28B.15.100;
  - 8 (c) RCW 28B.15.225;
  - 9 (d) RCW 28B.15.380;
  - 10 (e) RCW 28B.15.520;
  - 11 (f) RCW 28B.15.526;
  - 12 (g) RCW 28B.15.527;
  - 13 (h) RCW 28B.15.543;
  - 14 (i) RCW 28B.15.545;
  - 15 (j) RCW 28B.15.555;
  - 16 (k) RCW 28B.15.556;
  - 17 (l) RCW 28B.15.615;
  - 18 (m) RCW 28B.15.621(2);
  - 19 (n) RCW 28B.15.730;
  - 20 (o) RCW 28B.15.740;
  - 21 (p) RCW 28B.15.750;
  - 22 (q) RCW 28B.15.756;
  - 23 (r) RCW 28B.50.259; and
  - 24 (s) RCW 28B.70.050.
- 25 (3) The limitations in subsection (1) of this section do not apply
- 26 to waivers, exemptions, or reductions in services and activities fees
- 27 contained in the following:
  - 28 (a) RCW 28B.15.522;
  - 29 (b) RCW 28B.15.540; (~~and~~)
  - 30 (c) RCW 28B.15.558; and
  - 31 (d) RCW 28B.15.621(3).
- 32 (4) The total amount of operating fees revenue waived, exempted, or
- 33 reduced by institutions of higher education participating in the
- 34 western interstate commission for higher education western
- 35 undergraduate exchange program under RCW 28B.15.544 shall not exceed
- 36 the percentage of total gross authorized operating fees revenue in this
- 37 subsection.
  - 38 (a) Washington State University 1 percent

