

# HOUSE BILL REPORT

## HB 1474

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### As Passed Legislature

**Title:** An act relating to the border county higher education opportunity project.

**Brief Description:** Changing border county opportunity program provisions.

**Sponsors:** Representatives Orcutt, Wallace, Herrera and Moeller.

**Brief History:**

**Committee Activity:**

Higher Education: 2/4/09, 2/13/09 [DP];

Education Appropriations: 2/25/09, 2/26/09 [DP].

**Floor Activity**

Passed House: 3/5/09, 97-0.

Passed Senate: 4/7/09, 44-0.

Passed Legislature.

**Brief Summary of Bill**

- Allows individuals who recently relocated to Washington from specific border counties in Oregon to immediately qualify to pay resident tuition rates at certain Washington community colleges and universities.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass. Signed by 10 members: Representatives Wallace, Chair; Sells, Vice Chair; Anderson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Angel, Carlyle, Driscoll, Haler, Hasegawa and White.

**Staff:** Andi Smith (786-7304)

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### HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

**Majority Report:** Do pass. Signed by 14 members: Representatives Haigh, Chair; Sullivan, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson, Carlyle, Cox, Haler, Hunter, Kagi, Probst, Quall, Rolfes and Wallace.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Debbie Driver (786-7143)

**Background:**

Washington laws regarding residency specify criteria that must be met before an individual is eligible to pay in-state tuition rates at public institutions of higher education. In most cases, an individual must have lived in Washington for a minimum of one year prior to the first day of the beginning of the academic term for which they have registered. Over the years, exceptions to this rule have been made for military personnel, their spouses and dependents, as well as special classes of high school seniors who have met additional qualifying criteria.

Reciprocity agreements allow some Washington students to attend public colleges in other states and pay lower tuition rates, with similar arrangements for out-of-state students coming to Washington's public colleges and universities. Washington has not had a reciprocity agreement with Oregon since the 2000-2001 academic year, at Oregon's request. However, other types of student exchange options are currently in effect.

Border County Higher Education Opportunity Project.

The Washington State University (WSU) Vancouver and Tri-Cities campuses and five Washington community colleges can charge resident tuition rates to students who live in 13 Oregon counties. Resident tuition rates at WSU Vancouver and Tri-Cities are only available to Oregon students who take eight credits or less. In fall 2004 about 90 Oregon students participated in the program at the WSU campuses. In 2003-2004 nearly 600 full-time equivalent Oregon residents took advantage of the program at Washington community colleges.

The 13 Oregon "border counties" are Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Washington.

Tuition Waivers.

All community colleges can waive nonresident tuition for out-of-state students under provisions of the "non-specific" tuition waiver. In 2003-2004 more than 2,000 out-of-state students received this waiver at Washington community colleges.

**Summary of Bill:**

Columbia Basin Community College, Clark College, Lower Columbia Community College, Gray's Harbor Community College, and Walla Walla Community College may charge resident tuition rates to students who moved to Washington from a "border county" within the last 12 months and had lived in the border county for 90 days immediately prior to moving to Washington.

The Tri-cities and Vancouver branch campuses of Washington State University may charge resident tuition rates to students who moved to Washington from one of nine Oregon border counties provided that the student: (1) moved to Washington within the last twelve months; (2) lived in the border county for 90 days immediately prior to moving to Washington; and (3) is enrolled in eight credits or less. The nine eligible Oregon counties include Columbia, Multnomah, Clatsop, Clackamas, Morrow, Umatilla, Union, Wallowa, and Washington.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony (Higher Education):**

(In support) This bill is in response to a situation from a constituent who moved to Washington from a border county and no longer qualified for in-state tuition. When people actually move to the state and start paying taxes, they are punished. The bill is narrowly drafted to limit eligibility. Clark College supports the changes in the bill. There are a handful of students who do fall into this situation; it would cost them about \$395 annually. The change wouldn't cost the state anything as this is already within the college's waiver authority.

(Opposed) None.

**Staff Summary of Public Testimony (Education Appropriations):**

(In support) This bill addresses an issue that occurs when students who live in one of many Oregon border counties move to Washington and are charged a higher tuition rate at Washington colleges and universities. Current reciprocity agreements allow students who live in Oregon border counties and attend certain Washington colleges and universities the opportunity to pay in-state resident tuition. Students who move from a border county to Washington are currently charged non-resident tuition rates until they meet the criteria to become residents. This bill would allow these students to receive in-state resident tuition rates. These students are paying Washington taxes and should be allowed to pay the lower resident tuition rate. As the bill is permissive, versus mandatory, there should be no cost to the institutions.

(Opposed) None.

**Persons Testifying (Higher Education):** Representative Orcutt, prime sponsor; and Alex Montoya, Clark College.

**Persons Testifying (Education Appropriations):** Representative Orcutt, prime sponsor.

**Persons Signed In To Testify But Not Testifying (Higher Education):** None.

**Persons Signed In To Testify But Not Testifying (Education Appropriations):** None.