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HOUSE BILL 1645

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Riccelli, Sells, Ryu, and Moscoso; by request of Washington State Higher Education Facilities Authority

Read first time 02/04/13. Referred to Committee on Higher Education.

1 AN ACT Relating to the Washington higher education facilities  
2 authority; and amending RCW 28B.07.030.

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

4 **Sec. 1.** RCW 28B.07.030 and 2011 1st sp.s. c 11 s 137 are each  
5 amended to read as follows:

6 (1) The Washington higher education facilities authority is hereby  
7 established as a public body corporate and politic, with perpetual  
8 corporate succession, constituting an agency of the state of Washington  
9 exercising essential governmental functions. The authority is a  
10 "public body" within the meaning of RCW 39.53.010.

11 (2) The authority shall consist of (~~six~~) seven members as  
12 follows: The governor, lieutenant governor, and (~~four~~) five public  
13 members, one of whom shall be the president of a higher education  
14 institution at the time of appointment. The public members shall be  
15 residents of the state and appointed by the governor, subject to  
16 confirmation by the senate, on the basis of their interest or expertise  
17 in the provision of higher education and the financing of higher  
18 education. The public members of the authority shall serve for terms  
19 of four years. The initial terms of the public members shall be

1 staggered in a manner determined by the governor. In the event of a  
2 vacancy on the authority due to death, resignation, or removal of one  
3 of the public members, and upon the expiration of the term of any  
4 public member, the governor shall appoint a successor for a term  
5 expiring on the fourth anniversary of the successor's date of the  
6 appointment. If any of the state offices are abolished, the resulting  
7 vacancy on the authority shall be filled by the state officer who shall  
8 succeed substantially to the power and duties of the abolished office.  
9 Any public member of the authority may be removed by the governor for  
10 misfeasance, malfeasance, willful neglect of duty, or any other cause  
11 after notice and a public hearing, unless such notice and hearing shall  
12 be expressly waived in writing.

13 (3) The governor shall serve as chairperson of the authority. The  
14 authority shall elect annually one of its members as secretary. If the  
15 governor shall be absent from a meeting of the authority, the secretary  
16 shall preside. However, the governor may designate an employee of the  
17 governor's office to act on the governor's behalf in all other respects  
18 during the absence of the governor at any meeting of the authority. If  
19 the designation is in writing and is presented to the person presiding  
20 at the meetings of the authority who is included in the designation,  
21 the vote of the designee has the same effect as if cast by the  
22 governor.

23 (4) Any person designated by resolution of the authority shall keep  
24 a record of the proceedings of the authority and shall be the custodian  
25 of all books, documents, and papers filed with the authority, the  
26 minute book or a journal of the authority, and the authority's official  
27 seal, if any. The person may cause copies to be made of all minutes  
28 and other records and documents of the authority, and may give  
29 certificates to the effect that such copies are true copies. All  
30 persons dealing with the authority may rely upon the certificates.

31 (5) Four members of the authority constitute a quorum. Members  
32 participating in a meeting through the use of any means of  
33 communication by which all members participating can hear each other  
34 during the meeting shall be deemed to be present in person at the  
35 meeting for all purposes. The authority may act on the basis of a  
36 motion except when authorizing the issuance and sale of bonds, in which  
37 case the authority shall act by resolution. Bond resolutions and other  
38 resolutions shall be adopted upon the affirmative vote of four members

1 of the authority, and shall be signed by those members voting yes.  
2 Motions shall be adopted upon the affirmative vote of a majority of a  
3 quorum of members present at any meeting of the authority. All actions  
4 taken by the authority shall take effect immediately without need for  
5 publication or other public notice. A vacancy in the membership of the  
6 authority does not impair the power of the authority to act under this  
7 chapter.

8 (6) The members of the authority shall be compensated in accordance  
9 with RCW 43.03.240 and shall be entitled to reimbursement, solely from  
10 the funds of the authority, for travel expenses as determined by the  
11 authority incurred in the discharge of their duties under this chapter.

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