

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE SENATE BILL 5001**

61st Legislature  
2009 Regular Session

Passed by the Senate March 3, 2009  
YEAS 45 NAYS 2

---

**President of the Senate**

Passed by the House April 14, 2009  
YEAS 65 NAYS 32

---

**Speaker of the House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5001** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

**SUBSTITUTE SENATE BILL 5001**

---

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** Senate Higher Education & Workforce Development (originally sponsored by Senators Jacobsen and Kauffman)

READ FIRST TIME 02/06/09.

1            AN ACT Relating to the American Indian endowed scholarship program;  
2 amending RCW 28B.108.020 and 28B.108.060; and repealing RCW 28B.108.050  
3 and 28B.108.070.

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

5            **Sec. 1.** RCW 28B.108.020 and 1990 c 287 s 3 are each amended to  
6 read as follows:

7            The American Indian endowed scholarship program is created. The  
8 program shall be administered by the higher education coordinating  
9 board. In administering the program, the board's powers and duties  
10 shall include but not be limited to:

11            (1) Selecting students to receive scholarships, with the assistance  
12 of a screening committee composed of persons involved in helping  
13 American Indian students to obtain a higher education. The membership  
14 of the committee may include, but is not limited to representatives of:  
15 Indian tribes, urban Indians, the governor's office of Indian affairs,  
16 the Washington state Indian education association, and institutions of  
17 higher education;

18            (2) Adopting necessary rules and guidelines;

19            (3) Publicizing the program;

1 (4) Accepting and depositing donations into the endowment fund  
2 created in RCW 28B.108.060;

3 (5) Requesting from the state investment board and accepting from  
4 the state treasurer moneys earned from (~~the trust fund and~~) the  
5 endowment fund created in RCW (~~28B.108.050 and~~) 28B.108.060;

6 (6) Soliciting and accepting grants and donations from public and  
7 private sources for the program; and

8 (7) Naming scholarships in honor of those American Indians from  
9 Washington who have acted as role models.

10 **Sec. 2.** RCW 28B.108.060 and 2007 c 73 s 2 are each amended to read  
11 as follows:

12 The American Indian scholarship endowment fund is created in the  
13 custody of the state treasurer. The investment of the endowment fund  
14 shall be managed by the state investment board. Funds appropriated by  
15 the legislature for the endowment fund must be deposited into the fund.

16 (1) Moneys received from the higher education coordinating board,  
17 private donations, state (~~matching~~) moneys, and funds received from  
18 any other source may be deposited into the endowment fund. Private  
19 moneys received as a gift subject to conditions may be deposited into  
20 the fund.

21 (2) At the request of the higher education coordinating board, the  
22 state investment board shall release earnings from the endowment fund  
23 to the state treasurer. The state treasurer shall then release those  
24 funds at the request of the higher education coordinating board for  
25 scholarships. No appropriation is required for expenditures from the  
26 endowment fund.

27 (3) When notified by the higher education coordinating board that  
28 a condition attached to a gift of private moneys in the fund has  
29 failed, the state investment board shall release those moneys to the  
30 higher education coordinating board. The higher education coordinating  
31 board shall then release the moneys to the donors according to the  
32 terms of the conditional gift.

33 (4) The principal of the endowment fund shall not be invaded. The  
34 release of moneys under subsection (3) of this section shall not  
35 constitute an invasion of corpus.

36 (5) The earnings on the fund shall be used solely for the purposes

1 set forth in RCW 28B.108.040, except when the terms of a conditional  
2 gift of private moneys in the fund require that a portion of earnings  
3 on such moneys be reinvested in the fund.

4 NEW SECTION. **Sec. 3.** The following acts or parts of acts are each  
5 repealed:

6 (1) RCW 28B.108.050 (Scholarship trust fund established) and 1991  
7 sp.s. c 13 s 107 & 1990 c 287 s 6; and

8 (2) RCW 28B.108.070 (State matching funds) and 1993 c 372 s 2, 1991  
9 c 228 s 12, & 1990 c 287 s 8.

--- END ---