

SHB 2913 - H AMD 1106

By Representative Haigh

ADOPTED 2/13/2010

1 On page 5, after line 21, insert the following:

2

3 "Sec. 10. RCW 84.52.0531 and 2009 c 4 s 908 are each amended to
4 read as follows:

5 The maximum dollar amount which may be levied by or for any school
6 district for maintenance and operation support under the provisions of
7 RCW 84.52.053 shall be determined as follows:

8 (1) For excess levies for collection in calendar year 1997, the
9 maximum dollar amount shall be calculated pursuant to the laws and
10 rules in effect in November 1996.

11 (2) For excess levies for collection in calendar year 1998 and
12 thereafter, the maximum dollar amount shall be the sum of (a) plus or
13 minus (b) (~~(and)~~), (c), and (d) of this subsection minus (~~(d)~~) (e)
14 of this subsection:

15 (a) The district's levy base as defined in subsections (3) and (4)
16 of this section multiplied by the district's maximum levy percentage
17 as defined in subsection (5) of this section;

18 (b) For districts in a high/nonhigh relationship, the high school
19 district's maximum levy amount shall be reduced and the nonhigh school
20 district's maximum levy amount shall be increased by an amount equal
21 to the estimated amount of the nonhigh payment due to the high school
22 district under RCW 28A.545.030(3) and 28A.545.050 for the school year
23 commencing the year of the levy;

24 (c) Except for nonhigh districts under (d) of this subsection, for
25 districts in an interdistrict cooperative agreement, the nonresident
26 school district's maximum levy amount shall be reduced and the
27 resident school district's maximum levy amount shall be increased by

1 an amount equal to the per pupil basic education allocation included
2 in the nonresident district's levy base under subsection (3) of this
3 section multiplied by:

4 (i) The number of full-time equivalent students served from the
5 resident district in the prior school year; multiplied by:

6 (ii) The serving district's maximum levy percentage determined
7 under subsection (5) of this section; increased by:

8 (iii) The percent increase per full-time equivalent student as
9 stated in the state basic education appropriation section of the
10 biennial budget between the prior school year and the current school
11 year divided by fifty-five percent;

12 (d) The levy bases of nonhigh districts participating in an
13 innovation academy cooperative established under section 2 of this act
14 shall be adjusted by the office of the superintendent of public
15 instruction to reflect each district's proportional share of student
16 enrollment in the cooperative;

17 (e) The district's maximum levy amount shall be reduced by the
18 maximum amount of state matching funds for which the district is
19 eligible under RCW 28A.500.010.

20 (3) For excess levies for collection in calendar year 2005 and
21 thereafter, a district's levy base shall be the sum of allocations in
22 (a) through (c) of this subsection received by the district for the
23 prior school year and the amounts determined under subsection (4) of
24 this section, including allocations for compensation increases, plus
25 the sum of such allocations multiplied by the percent increase per
26 full time equivalent student as stated in the state basic education
27 appropriation section of the biennial budget between the prior school
28 year and the current school year and divided by fifty-five percent. A
29 district's levy base shall not include local school district property
30 tax levies or other local revenues, or state and federal allocations
31 not identified in (a) through (c) of this subsection.

32 (a) The district's basic education allocation as determined
33 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

34

1 (b) State and federal categorical allocations for the following
2 programs:

3 (i) Pupil transportation;

4 (ii) Special education;

5 (iii) Education of highly capable students;

6 (iv) Compensatory education, including but not limited to learning
7 assistance, migrant education, Indian education, refugee programs, and
8 bilingual education;

9 (v) Food services; and

10 (vi) Statewide block grant programs; and

11 (c) Any other federal allocations for elementary and secondary
12 school programs, including direct grants, other than federal impact
13 aid funds and allocations in lieu of taxes.

14 (4) For levy collections in calendar years 2005 through 2011, in
15 addition to the allocations included under subsection (3)(a) through
16 (c) of this section, a district's levy base shall also include the
17 following:

18 (a) The difference between the allocation the district would have
19 received in the current school year had *RCW 84.52.068 not been
20 amended by chapter 19, Laws of 2003 1st sp. sess. and the allocation
21 the district received in the current school year pursuant to *RCW
22 84.52.068. The office of the superintendent of public instruction
23 shall offset the amount added to a district's levy base pursuant to
24 this subsection (4)(a) by any additional per student allocations
25 included in a district's levy base pursuant to the enactment of an
26 initiative to the people subsequent to June 10, 2004; and

27 (b) The difference between the allocations the district would have
28 received the prior school year had RCW 28A.400.205 not been amended by
29 chapter 20, Laws of 2003 1st sp. sess. and the allocations the
30 district actually received the prior school year pursuant to RCW
31 28A.400.205. The office of the superintendent of public instruction
32 shall offset the amount added to a district's levy base pursuant to
33 this subsection (4)(b) by any additional salary increase allocations
34

1 included in a district's levy base pursuant to the enactment of an
2 initiative to the people subsequent to June 10, 2004.

3 (5) A district's maximum levy percentage shall be twenty-two
4 percent in 1998 and twenty-four percent in 1999 and every year
5 thereafter; plus, for qualifying districts, the grandfathered
6 percentage determined as follows:

7 (a) For 1997, the difference between the district's 1993 maximum
8 levy percentage and twenty percent; and

9 (b) For 1998 and thereafter, the percentage calculated as follows:

10 (i) Multiply the grandfathered percentage for the prior year times
11 the district's levy base determined under subsection (3) of this
12 section;

13 (ii) Reduce the result of (b)(i) of this subsection by any levy
14 reduction funds as defined in subsection (6) of this section that are
15 to be allocated to the district for the current school year;

16 (iii) Divide the result of (b)(ii) of this subsection by the
17 district's levy base; and

18 (iv) Take the greater of zero or the percentage calculated in
19 (b)(iii) of this subsection.

20 (6) "Levy reduction funds" shall mean increases in state funds
21 from the prior school year for programs included under subsections (3)
22 and (4) of this section: (a) That are not attributable to enrollment
23 changes, compensation increases, or inflationary adjustments; and (b)
24 that are or were specifically identified as levy reduction funds in
25 the appropriations act. If levy reduction funds are dependent on
26 formula factors which would not be finalized until after the start of
27 the current school year, the superintendent of public instruction
28 shall estimate the total amount of levy reduction funds by using prior
29 school year data in place of current school year data. Levy reduction
30 funds shall not include moneys received by school districts from
31 cities or counties.

32 (7) For the purposes of this section, "prior school year" means
33 the most recent school year completed prior to the year in which the
34 levies are to be collected.

1 (8) For the purposes of this section, "current school year" means
2 the year immediately following the prior school year.

3 (9) Funds collected from transportation vehicle fund tax levies
4 shall not be subject to the levy limitations in this section.

5 (10) The superintendent of public instruction shall develop rules
6 and regulations and inform school districts of the pertinent data
7 necessary to carry out the provisions of this section.

8 (11) For calendar year 2009, the office of the superintendent of
9 public instruction shall recalculate school district levy authority to
10 reflect levy rates certified by school districts for calendar year
11 2009.

12
13 **Sec. 11.** RCW 84.52.0531 and 1997 c 259 s 2 are each amended to
14 read as follows:

15 The maximum dollar amount which may be levied by or for any school
16 district for maintenance and operation support under the provisions of
17 RCW 84.52.053 shall be determined as follows:

18 (1) For excess levies for collection in calendar year 1997, the
19 maximum dollar amount shall be calculated pursuant to the laws and
20 rules in effect in November 1996.

21 (2) For excess levies for collection in calendar year 1998 and
22 thereafter, the maximum dollar amount shall be the sum of (a) plus or
23 minus (b) (~~(and)~~), (c), and (d) of this subsection minus (~~(+d)~~)(e)
24 of this subsection:

25 (a) The district's levy base as defined in subsection (3) of this
26 section multiplied by the district's maximum levy percentage as
27 defined in subsection (4) of this section;

28 (b) For districts in a high/nonhigh relationship, the high school
29 district's maximum levy amount shall be reduced and the nonhigh school
30 district's maximum levy amount shall be increased by an amount equal
31 to the estimated amount of the nonhigh payment due to the high school
32 district under RCW 28A.545.030(3) and 28A.545.050 for the school year
33 commencing the year of the levy;

1 (c) Except for nonhigh districts under (d) of this subsection, for
2 districts in an interdistrict cooperative agreement, the nonresident
3 school district's maximum levy amount shall be reduced and the
4 resident school district's maximum levy amount shall be increased by
5 an amount equal to the per pupil basic education allocation included
6 in the nonresident district's levy base under subsection (3) of this
7 section multiplied by:

8 (i) The number of full-time equivalent students served from the
9 resident district in the prior school year; multiplied by:

10 (ii) The serving district's maximum levy percentage determined
11 under subsection (4) of this section; increased by:

12 (iii) The percent increase per full-time equivalent student as
13 stated in the state basic education appropriation section of the
14 biennial budget between the prior school year and the current school
15 year divided by fifty-five percent;

16 (d) The levy bases of nonhigh districts participating in an
17 innovation academy cooperative established under section 2 of this act
18 shall be adjusted by the office of the superintendent of public
19 instruction to reflect each district's proportional share of student
20 enrollment in the cooperative;

21 (e) The district's maximum levy amount shall be reduced by the
22 maximum amount of state matching funds for which the district is
23 eligible under RCW 28A.500.010.

24 (3) For excess levies for collection in calendar year 1998 and
25 thereafter, a district's levy base shall be the sum of allocations in
26 (a) through (c) of this subsection received by the district for the
27 prior school year, including allocations for compensation increases,
28 plus the sum of such allocations multiplied by the percent increase
29 per full time equivalent student as stated in the state basic
30 education appropriation section of the biennial budget between the
31 prior school year and the current school year and divided by fifty-
32 five percent. A district's levy base shall not include local school
33 district property tax levies or other local revenues, or state and
34

1 federal allocations not identified in (a) through (c) of this
2 subsection.

3 (a) The district's basic education allocation as determined
4 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

5 (b) State and federal categorical allocations for the following
6 programs:

7 (i) Pupil transportation;

8 (ii) Special education;

9 (iii) Education of highly capable students;

10 (iv) Compensatory education, including but not limited to learning
11 assistance, migrant education, Indian education, refugee programs, and
12 bilingual education;

13 (v) Food services; and

14 (vi) Statewide block grant programs; and

15 (c) Any other federal allocations for elementary and secondary
16 school programs, including direct grants, other than federal impact
17 aid funds and allocations in lieu of taxes.

18 (4) A district's maximum levy percentage shall be twenty-two
19 percent in 1998 and twenty-four percent in 1999 and every year
20 thereafter; plus, for qualifying districts, the grandfathered
21 percentage determined as follows:

22 (a) For 1997, the difference between the district's 1993 maximum
23 levy percentage and twenty percent; and

24 (b) For 1998 and thereafter, the percentage calculated as follows:

25 (i) Multiply the grandfathered percentage for the prior year times
26 the district's levy base determined under subsection (3) of this
27 section;

28 (ii) Reduce the result of (b)(i) of this subsection by any levy
29 reduction funds as defined in subsection (5) of this section that are
30 to be allocated to the district for the current school year;

31 (iii) Divide the result of (b)(ii) of this subsection by the
32 district's levy base; and

33 (iv) Take the greater of zero or the percentage calculated in
34 (b)(iii) of this subsection.

1 (5) "Levy reduction funds" shall mean increases in state funds
2 from the prior school year for programs included under subsection (3)
3 of this section: (a) That are not attributable to enrollment changes,
4 compensation increases, or inflationary adjustments; and (b) that are
5 or were specifically identified as levy reduction funds in the
6 appropriations act. If levy reduction funds are dependent on formula
7 factors which would not be finalized until after the start of the
8 current school year, the superintendent of public instruction shall
9 estimate the total amount of levy reduction funds by using prior
10 school year data in place of current school year data. Levy reduction
11 funds shall not include moneys received by school districts from
12 cities or counties.

13 (6) For the purposes of this section, "prior school year" means
14 the most recent school year completed prior to the year in which the
15 levies are to be collected.

16 (7) For the purposes of this section, "current school year" means
17 the year immediately following the prior school year.

18 (8) Funds collected from transportation vehicle fund tax levies
19 shall not be subject to the levy limitations in this section.

20 (9) The superintendent of public instruction shall develop rules
21 and regulations and inform school districts of the pertinent data
22 necessary to carry out the provisions of this section."

23
24 Renumber the remaining sections consecutively and correct any
25 internal references accordingly. Correct the title.

26
27 On page 5, after line 25, insert the following:

28
29 "NEW SECTION. Sec. 12. Section 10 of this act expires January 1,
30 2012.

31
32 NEW SECTION. Sec. 13. Section 11 of this act takes effect
33 January 1, 2012."

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EFFECT: Provides that the levy bases of the nonhigh districts participating in an Innovation Academy Cooperative shall be adjusted to reflect each district's proportional share of student enrollment in the cooperative, since one of the districts is the fiscal agent for the cooperative.

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