
HOUSE BILL 2207

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Haigh, Orcutt, Haler, Tharinger, Blake, Short, Van De Wege, Fagan, Magendanz, and Buys

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1 AN ACT Relating to eliminating the reduction in state basic
2 education funding that occurs in counties with federal forest lands;
3 amending RCW 28A.150.250 and 28A.520.020; creating a new section; and
4 providing an effective date.

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

6 NEW SECTION. **Sec. 1.** School districts in counties with federal
7 forests are at a disadvantage in terms of generating local revenue due
8 to economic and private development opportunities that are forgone on
9 these lands. The legislature intends to no longer reduce state basic
10 education funding to school districts in counties with federal forest
11 lands. The money school districts receive as a result of federal
12 forest revenue payments should be considered as grants, or
13 compensation, to inhabitants of local areas for impacts associated with
14 the presence of federal lands. These revenues should be delivered to
15 school districts as a supplement to basic education allocations in
16 addition to the state's basic education apportionment.

17 **Sec. 2.** RCW 28A.150.250 and 2009 c 548 s 105 are each amended to
18 read as follows:

1 (1) From those funds made available by the legislature for the
2 current use of the common schools, the superintendent of public
3 instruction shall distribute annually as provided in RCW 28A.510.250 to
4 each school district of the state operating a basic education
5 instructional program approved by the state board of education an
6 amount based on the formulas provided in RCW 28A.150.260, 28A.150.390,
7 and 28A.150.392 which, when combined with an appropriate portion of
8 such locally available revenues, (~~other than receipts from federal
9 forest revenues distributed to school districts pursuant to RCW
10 28A.520.010 and 28A.520.020,~~) as the superintendent of public
11 instruction may deem appropriate for consideration in computing state
12 equalization support, excluding excess property tax levies, will
13 constitute a basic education allocation in dollars for each annual
14 average full-time equivalent student enrolled.

15 (2) The instructional program of basic education shall be
16 considered to be fully funded by those amounts of dollars appropriated
17 by the legislature pursuant to RCW 28A.150.260, 28A.150.390, and
18 28A.150.392 to fund those program requirements identified in RCW
19 28A.150.220 in accordance with the formula provided in RCW 28A.150.260
20 and those amounts of dollars appropriated by the legislature to fund
21 the salary requirements of RCW 28A.150.410.

22 (3) If a school district's basic education program fails to meet
23 the basic education requirements enumerated in RCW 28A.150.260 and
24 28A.150.220, the state board of education shall require the
25 superintendent of public instruction to withhold state funds in whole
26 or in part for the basic education allocation until program compliance
27 is assured. However, the state board of education may waive this
28 requirement in the event of substantial lack of classroom space.

29 **Sec. 3.** RCW 28A.520.020 and 2011 c 278 s 1 are each amended to
30 read as follows:

31 (1) There shall be a fund known as the federal forest revolving
32 account. The state treasurer, who shall be custodian of the revolving
33 account, shall deposit into the revolving account the funds for each
34 county received by the state in accordance with Title 16, section 500,
35 United States Code. The state treasurer shall distribute these moneys
36 to the counties according to the determined proportional area. The
37 county legislative authority shall expend fifty percent of the money

1 for the benefit of the public roads and other public purposes as
2 authorized by federal statute or public schools of such county and not
3 otherwise. Disbursements by the counties of the remaining fifty
4 percent of the money shall be as authorized by the superintendent of
5 public instruction, or the superintendent's designee, and shall occur
6 in the manner provided in subsection (2) of this section.

7 (2) No later than thirty days following receipt of the funds from
8 the federal government, the superintendent of public instruction shall
9 apportion moneys distributed to counties for schools to public school
10 districts in the respective counties in proportion to the number of
11 resident full-time equivalent students enrolled in each public school
12 district to the number of resident full-time equivalent students
13 enrolled in public schools in the county. In apportioning these funds,
14 the superintendent of public instruction shall utilize the October
15 enrollment count.

16 (3) ~~((If))~~ The amount received by any public school district
17 pursuant to subsection (2) of this section ~~((is less than))~~ shall not
18 reduce the basic education allocation to which the district would
19 otherwise be entitled ~~((, the superintendent of public instruction shall~~
20 ~~apportion to the district, in the manner provided by RCW 28A.510.250,~~
21 ~~an amount which shall be the difference between the amount received~~
22 ~~pursuant to subsection (2) of this section and the basic education~~
23 ~~allocation to which the district would otherwise be entitled))~~.

24 (4) All federal forest funds shall be expended in accordance with
25 the requirements of Title 16, section 500, United States Code, as now
26 existing or hereafter amended.

27 (5) The definition of resident student for purposes of this section
28 shall be based on rules adopted by the superintendent of public
29 instruction, which shall consider and address the impact of alternative
30 learning experience students on federal forest funds distribution.

31 NEW SECTION. **Sec. 4.** This act takes effect September 1, 2014.

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