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**SENATE BILL 5902**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By Senator Swanson**

Read first time 02/18/97. Referred to Committee on Education.

1 AN ACT Relating to meeting the paramount duty to provide an ample  
2 education for students in grades kindergarten through twelve; amending  
3 RCW 43.135.025; adding a new section to chapter 28A.150 RCW; and  
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the costs of  
7 providing an ample education for our children has increased since the  
8 basic education act was passed in 1977. The legislature further  
9 reaffirms that "it is the paramount duty of the state to make ample  
10 provision for the education of all children residing within its  
11 borders, without distinction or preference on account of race, color,  
12 caste, or sex" as stated in Article IX, section 1 of the state  
13 Constitution. The legislature further finds that school districts  
14 should not be required to rely upon local maintenance and operations  
15 levies in excess of ten percent to provide for the costs of educating  
16 children to meet the increasingly complex and demanding expectations of  
17 the twenty-first century. The legislature further finds that it is  
18 necessary for the welfare of the people of this state to use funds in

1 excess of the spending limits to meet the very basic educational needs  
2 of the children.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150  
4 RCW to read as follows:

5 The costs of providing a basic education under RCW 28A.150.250,  
6 28A.150.260, and 28A.150.350 have increased ten percent. All basic  
7 education allocations under RCW 28A.150.250, 28A.150.260, and  
8 28A.150.350 shall be increased by ten percent after adjustments have  
9 been made for enrollment changes, compensation increases, or  
10 inflationary adjustments. Such funds shall constitute levy reduction  
11 funds and shall be so designated in the omnibus appropriations act.

12 **Sec. 3.** RCW 43.135.025 and 1994 c 2 s 2 are each amended to read  
13 as follows:

14 (1) The state shall not expend from the general fund during any  
15 fiscal year state moneys in excess of the state expenditure limit  
16 established under this chapter.

17 (2) Except pursuant to a declaration of emergency under RCW  
18 43.135.035 or pursuant to an appropriation under RCW 43.135.045(4)(b),  
19 the state treasurer shall not issue or redeem any check, warrant, or  
20 voucher that will result in a state general fund expenditure for any  
21 fiscal year in excess of the state expenditure limit established under  
22 this chapter. A violation of this subsection constitutes a violation  
23 of RCW 43.88.290 and shall subject the state treasurer to the penalties  
24 provided in RCW 43.88.300.

25 (3) The state expenditure limit for any fiscal year shall be the  
26 previous fiscal year's state expenditure limit increased by a  
27 percentage rate that equals the fiscal growth factor.

28 (4) For purposes of computing the state expenditure limit for the  
29 fiscal year beginning July 1, 1995, the phrase "the previous fiscal  
30 year's state expenditure limit" means the total state expenditures from  
31 the state general fund, not including federal funds, for the fiscal  
32 year beginning July 1, 1989, plus the fiscal growth factor. This  
33 calculation is then computed for the state expenditure limit for fiscal  
34 years 1992, 1993, 1994, and 1995, and as required under RCW  
35 43.135.035(4).

36 (5) Each November, the office of financial management shall adjust  
37 the expenditure limit for the preceding fiscal year based on actual

1 expenditures and known changes in the fiscal growth factor and then  
2 project an expenditure limit for the next two fiscal years. The office  
3 of financial management shall notify the legislative fiscal committees  
4 of all adjustments to the state expenditure limit and projections of  
5 future expenditure limits.

6 (6) This section does not apply to expenditures for basic education  
7 increases under section 2 of this act.

8 (7) "Fiscal growth factor" means the average of the sum of  
9 inflation and population change for each of the prior three fiscal  
10 years.

11 ~~((7))~~ (8) "Inflation" means the percentage change in the implicit  
12 price deflator for the United States for each fiscal year as published  
13 by the federal bureau of labor statistics.

14 ~~((8))~~ (9) "Population change" means the percentage change in  
15 state population for each fiscal year as reported by the office of  
16 financial management.

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