
SUBSTITUTE SENATE BILL 5445

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Honeyford, Schoesler, Dammeier, Braun, Parlette, Litzow, Baumgartner, Carrell, Sheldon, Ericksen, Becker, King, Fain, Bailey, and Tom)

READ FIRST TIME 02/08/13.

1 AN ACT Relating to funding public school capital projects; adding
2 a new chapter to Title 43 RCW; creating new sections; making
3 appropriations; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** For the purpose of providing funds to
6 finance the public school projects described and authorized by the
7 legislature in the capital appropriations acts for the 2013-2015 fiscal
8 biennium, and all costs incidental thereto, the state finance committee
9 is authorized to issue general obligation bonds of the state of
10 Washington in the sum of four hundred seventy-five million dollars, or
11 as much thereof as may be required, to finance these projects and all
12 costs incidental thereto. Bonds authorized in this section may be sold
13 at such price as the state finance committee shall determine. No bonds
14 authorized in this section may be offered for sale without prior
15 legislative appropriation of the net proceeds of the sale of the bonds.

16 NEW SECTION. **Sec. 2.** The proceeds from the sale of bonds
17 authorized in section 1 of this act shall be deposited in the state
18 building construction account created by RCW 43.83.020. These proceeds

1 shall be used exclusively for the purposes specified in this section
2 and for the payment of expenses incurred in the issuance and sale of
3 the bonds issued for the purposes of this section, and shall be
4 administered by the office of financial management subject to
5 legislative appropriation.

6 NEW SECTION. **Sec. 3.** (1) The debt-limit general fund bond
7 retirement account shall be used for the payment of the principal of
8 and interest on the bonds authorized in section 1 of this act.

9 (2) The state finance committee shall, on or before June 30th of
10 each year, certify to the state treasurer the amount needed in the
11 ensuing twelve months to meet the bond retirement and interest
12 requirements on the bonds authorized in section 1 of this act.

13 (3) On each date on which any interest or principal and interest
14 payment is due on bonds issued for the purposes of section 1 of this
15 act the state treasurer shall withdraw from any general state revenues
16 received in the state treasury and deposit in the debt-limit general
17 fund bond retirement account an amount equal to the amount certified by
18 the state finance committee to be due on the payment date.

19 NEW SECTION. **Sec. 4.** (1) Bonds issued under sections 1 through 3
20 of this act shall state that they are a general obligation of the state
21 of Washington, shall pledge the full faith and credit of the state to
22 the payment of the principal thereof and the interest thereon, and
23 shall contain an unconditional promise to pay the principal and
24 interest as the same shall become due.

25 (2) The owner and holder of each of the bonds or the trustee for
26 the owner and holder of any of the bonds may by mandamus or other
27 appropriate proceeding require the transfer and payment of funds as
28 directed in this section.

29 NEW SECTION. **Sec. 5.** The legislature may provide additional means
30 for raising moneys for the payment of the principal of and interest on
31 the bonds authorized in section 1 of this act, and sections 2 and 3 of
32 this act shall not be deemed to provide an exclusive method for the
33 payment.

1 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
2 a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 7.** (1) A capital budget is hereby adopted and,
4 subject to the provisions set forth in this act, the several dollar
5 amounts hereinafter specified, or so much thereof as shall be
6 sufficient to accomplish the purposes designated, are hereby
7 appropriated and authorized to be incurred for capital projects during
8 the period beginning with the effective date of this section and ending
9 June 30, 2015, out of the several funds specified in this act.

10 (2) The definitions in this subsection apply throughout this act
11 unless the context clearly requires otherwise.

12 (a) "Fiscal year 2014" or "FY 2014" means the period beginning July
13 1, 2013, and ending June 30, 2014.

14 (b) "Fiscal year 2015" or "FY 2015" means the period beginning July
15 1, 2014, and ending June 30, 2015.

16 (c) "Lapse" or "revert" means the amount shall return to an
17 unappropriated status.

18 (d) "Provided solely" means the specified amount may be spent only
19 for the specified purpose.

20 (3) Unless otherwise specifically authorized in this act, any
21 portion of an amount provided solely for a specified purpose that is
22 not expended subject to the specified conditions and limitations to
23 fulfill the specified purpose shall lapse.

24 (4) The amounts shown under the headings "Prior Biennia," "Future
25 Biennia," and "Total" in this act are for informational purposes only
26 and do not constitute legislative approval of these amounts. "Prior
27 biennia" typically refers to the immediate prior biennium for
28 reappropriations, but may refer to multiple biennia in the case of
29 specific projects. A "future biennia" amount is an estimate of what
30 may be appropriated for the project or program in the 2013-2015
31 biennium and the following three biennia; an amount of zero does not
32 necessarily constitute legislative intent to not provide funding for
33 the project or program in the future.

34 (5) "Reappropriations" in this act are appropriations and, unless
35 the context clearly provides otherwise, are subject to the relevant
36 conditions and limitations applicable to appropriations.

1 Reappropriations shall be limited to the unexpended balances remaining
2 on June 30, 2013, from the 2011-2013 biennial appropriations for each
3 project.

4 NEW SECTION. **Sec. 8. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
5 School Security Improvement Grants (92000015)

6 The appropriation in this section is subject to the following
7 conditions and limitations:

8 (1) The appropriation is provided solely for nonrecurring costs
9 associated with school facility safety projects as described in
10 subsections (2) and (3) of this section.

11 (2) One-time grants to school districts to implement panic alarm
12 systems developed:

13 (a) In conjunction with the district's local law enforcement
14 agency; or

15 (b) By the superintendent of public instruction as a model policy.

16 (3) One-time grants to school districts to assist with installation
17 of security control mechanisms or systems. The superintendent shall
18 prioritize grant requests by establishing criteria including, but not
19 limited to, considering districts that receive state funds through the
20 school construction assistance program in FY 2014 or FY 2015.

21 Appropriation:

22	Common School Construction Account--State	\$10,000,000
23	Prior Biennia (Expenditures)\$0
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	\$10,000,000

26 NEW SECTION. **Sec. 9. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
27 2013-2015 School Construction Assistance Program - Maintenance
28 (30000145)

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) \$1,340,000 of the common school construction account--state
32 appropriation is provided solely for study and survey grants and for
33 completing inventory and building condition assessments for all public
34 school districts once every six years.

1 (2) \$933,000 of the common school construction account--state
2 appropriation is provided solely for mapping the design of new
3 facilities and remapping the design of facilities to be remodeled, for
4 school construction projects funded through the school construction
5 assistance program.

6 (3) \$250,000 of the common school construction account--state is
7 provided solely for the development of recommendations on how the
8 school construction assistance program can better support state policy
9 objectives to reform and improve public education. A report describing
10 the recommendations and their projected costs and benefits must be
11 submitted to the appropriate committees of the legislature by September
12 1, 2014. The superintendent of public instruction must convene an
13 advisory group to assist in the development of these recommendations.
14 The advisory group must include representation from general classroom
15 teachers at various grade levels, teachers of subjects that require
16 specialized facilities such as science laboratories and vocational
17 facilities, school facility managers, school facility designers, and
18 other experts on the relationship between the quality and design of
19 educational facilities and student academic performance. The advisory
20 group must review and consider findings and recommendations in the 2009
21 joint legislative task force on school construction funding. The
22 recommendations must consider ways to provide financial assistance to
23 develop and improve educational facilities to support at least the
24 following policy objectives:

25 (a) Greater access and more effective instruction in science,
26 technology, engineering, and math;

27 (b) Class size reduction in grades K-3;

28 (c) Increased efficiency in the use of high-cost specialized school
29 facilities, such as the shared use of specialized facilities at skill
30 centers and community colleges;

31 (d) Simplifying the school construction assistance program by
32 scheduling multiple release dates each year;

33 (e) Improving web-based access by taxpayers to school capacity and
34 actual enrollment in order to understand possible opportunities to
35 increase efficiency through consolidation. The office of the
36 superintendent of public instruction must post this capacity and
37 enrollment information on its web site.

1 (4) Funds from this appropriation may be used to match federal
2 dollars provided by the office of economic adjustment for school
3 replacement facilities located on military bases.

4 (5) The office of the superintendent of public instruction must
5 expedite the eligibility review, project approval process, and
6 contracting for any eligible grant under the school construction
7 assistance program to address the school construction emergency
8 resulting from the fire that destroyed the Crestline school in the
9 Evergreen School District.

10 Appropriation:

11	State Building Construction Account--State	\$461,615,000
12	Common School Construction Account--State	\$71,328,000
13	Common School Construction Account--Federal	\$1,500,000
14	Subtotal Appropriation	\$534,443,000
15	Prior Biennia (Expenditures)\$0
16	Future Biennia (Projected Costs)	\$3,022,299,000
17	TOTAL	\$3,556,742,000

18 NEW SECTION. **Sec. 10.** (1) Allotments for appropriations in this
19 act shall be provided in accordance with the capital project review
20 requirements adopted by the office of financial management and in
21 compliance with RCW 43.88.110. Projects that will be employing
22 alternative public works construction procedures under chapter 39.10
23 RCW are subject to the allotment procedures defined in this section and
24 RCW 43.88.110.

25 (2) Each project is defined as proposed in the legislative budget
26 notes or in the governor's budget document.

27 (3) The office of financial management and the office of the
28 superintendent of public instruction must expedite the allotment and
29 contracting process for projects funded in these appropriations that
30 are ready to begin and meet all other requirements.

31 NEW SECTION. **Sec. 11.** State agencies, including institutions of
32 higher education, shall allot and report full-time equivalent staff for
33 capital projects in a manner comparable to staff reporting for
34 operating expenditures.

1 NEW SECTION. **Sec. 12.** The amounts shown under the headings "Prior
2 Biennia," "Future Biennia," and "Total" in this act are for
3 informational purposes only and do not constitute legislative approval
4 of these amounts. "Prior biennia" typically refers to the immediate
5 prior biennium for reappropriations, but may refer to multiple biennia
6 in the case of specific projects. A "future biennia" amount is an
7 estimate of what may be appropriated for the project or program in the
8 2015-2017 biennium and the following three biennia; an amount of zero
9 does not necessarily constitute legislative intent to not provide
10 funding for the project or program in the future.

11 NEW SECTION. **Sec. 13.** RCW 43.88.031 requires the disclosure of
12 the estimated debt service costs associated with new capital bond
13 appropriations. The estimated debt service costs for the
14 appropriations contained in this act are seven million five hundred
15 thousand dollars for the 2013-2015 biennium, forty-eight million
16 dollars for the 2015-2017 biennium, and sixty-eight million dollars for
17 the 2017-2019 biennium and each biennium thereafter until the bonds are
18 retired, for a total estimated debt service costs of eight hundred
19 fifty-five million dollars.

20 NEW SECTION. **Sec. 14.** If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 15.** This act is necessary for the immediate
25 preservation of the public peace, health, or safety, or support of the
26 state government and its existing public institutions, and takes effect
27 immediately.

INDEX

PAGE #

..... 4
SUPERINTENDENT OF PUBLIC INSTRUCTION 4

--- END ---