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SENATE BILL 5511

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State of Washington

56th Legislature

1999 Regular Session

By Senators Gardner, Hargrove, T. Sheldon, Morton, Spanel, McCaslin, Rasmussen, Costa, Honeyford, Brown, Bauer, Swecker, Oke, Long, Sellar, Horn, Rossi, Johnson, Deccio, Stevens and Hochstatter

Read first time 01/26/1999. Referred to Committee on Ways & Means.

1 AN ACT Relating to school district revenues; and amending RCW  
2 28A.150.250, 28A.520.020, and 76.12.120.

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

4 **Sec. 1.** RCW 28A.150.250 and 1990 c 33 s 107 are each amended to  
5 read as follows:

6 From those funds made available by the legislature for the current  
7 use of the common schools, the superintendent of public instruction  
8 shall distribute annually as provided in RCW 28A.510.250 to each school  
9 district of the state operating a program approved by the state board  
10 of education an amount which(~~(, when combined with an appropriate~~  
11 ~~portion of such locally available revenues, other than receipts from~~  
12 ~~federal forest revenues distributed to school districts pursuant to RCW~~  
13 ~~28A.520.010 and 28A.520.020, as the superintendent of public~~  
14 ~~instruction may deem appropriate for consideration in computing state~~  
15 ~~equalization support, excluding excess property tax levies,)) will  
16 constitute a basic education allocation in dollars for each annual  
17 average full time equivalent student enrolled, based upon one full  
18 school year of one hundred eighty days, except that for kindergartens~~

1 one full school year shall be one hundred eighty half days of  
2 instruction, or the equivalent as provided in RCW 28A.150.220.

3 Basic education shall be considered to be fully funded by those  
4 amounts of dollars appropriated by the legislature pursuant to RCW  
5 28A.150.250 and 28A.150.260 to fund those program requirements  
6 identified in RCW 28A.150.220 in accordance with the formula and ratios  
7 provided in RCW 28A.150.260 and those amounts of dollars appropriated  
8 by the legislature to fund the salary requirements of RCW 28A.150.100  
9 and 28A.150.410.

10 Operation of a program approved by the state board of education,  
11 for the purposes of this section, shall include a finding that the  
12 ratio of students per classroom teacher in grades kindergarten through  
13 three is not greater than the ratio of students per classroom teacher  
14 in grades four and above for such district: PROVIDED, That for the  
15 purposes of this section, "classroom teacher" shall be defined as an  
16 instructional employee possessing at least a provisional certificate,  
17 but not necessarily employed as a certificated employee, whose primary  
18 duty is the daily educational instruction of students: PROVIDED  
19 FURTHER, That the state board of education shall adopt rules and  
20 regulations to insure compliance with the student/teacher ratio  
21 provisions of this section, and such rules and regulations shall allow  
22 for exemptions for those special programs and/or school districts which  
23 may be deemed unable to practicably meet the student/teacher ratio  
24 requirements of this section by virtue of a small number of students.

25 If a school district's basic education program fails to meet the  
26 basic education requirements enumerated in RCW 28A.150.250,  
27 28A.150.260, and 28A.150.220, the state board of education shall  
28 require the superintendent of public instruction to withhold state  
29 funds in whole or in part for the basic education allocation until  
30 program compliance is assured: PROVIDED, That the state board of  
31 education may waive this requirement in the event of substantial lack  
32 of classroom space.

33 **Sec. 2.** RCW 28A.520.020 and 1991 sp.s. c 13 s 113 are each amended  
34 to read as follows:

35 (1) There shall be a fund known as the federal forest revolving  
36 account. The state treasurer, who shall be custodian of the revolving  
37 account, shall deposit into the revolving account the funds for each  
38 county received by the state in accordance with Title 16, section 500,

1 United States Code. The state treasurer shall distribute these moneys  
2 to the counties according to the determined proportional area. The  
3 county legislative authority shall expend fifty percent of the money  
4 for the benefit of the public roads and other public purposes as  
5 authorized by federal statute or public schools of such county and not  
6 otherwise. Disbursements by the counties of the remaining fifty  
7 percent of the money shall be as authorized by the superintendent of  
8 public instruction, or the superintendent's designee, and shall occur  
9 in the manner provided in subsection (2) of this section.

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

18 ~~(3) ((If the amount received by any public school district pursuant  
19 to subsection (2) of this section is less than the basic education  
20 allocation to which the district would otherwise be entitled, the  
21 superintendent of public instruction shall apportion to the district,  
22 in the manner provided by RCW 28A.510.250, an amount which shall be the  
23 difference between the amount received pursuant to subsection (2) of  
24 this section and the basic education allocation to which the district  
25 would otherwise be entitled.~~

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

29 **Sec. 3.** RCW 76.12.120 and 1998 c 71 s 2 are each amended to read  
30 as follows:

31 All land, acquired or designated by the department as state forest  
32 land, shall be forever reserved from sale, but the timber and other  
33 products thereon may be sold or the land may be leased in the same  
34 manner and for the same purposes as is authorized for state granted  
35 land if the department finds such sale or lease to be in the best  
36 interests of the state and approves the terms and conditions thereof.

37 Except as provided in RCW 79.12.035, all money derived from the  
38 sale of timber or other products, or from lease, or from any other

1 source from the land, except where the Constitution of this state or  
2 RCW 76.12.030 requires other disposition, shall be disposed of as  
3 follows:

4 (1) Fifty percent shall be placed in the forest development  
5 account.

6 (2) Fifty percent shall be prorated and distributed to the state  
7 general fund, to be dedicated for the benefit of the public schools,  
8 and the county in which the land is located according to the relative  
9 proportions of tax levies of all taxing districts in the county. The  
10 portion to be distributed to the state general fund shall be based on  
11 the regular school levy rate under RCW 84.52.065 as now or hereafter  
12 amended (~~and the levy rate for any maintenance and operation special~~  
13 ~~school levies~~). With regard to the portion to be distributed to the  
14 counties, the department shall certify to the state treasurer the  
15 amounts to be distributed within seven working days of receipt of the  
16 money. The state treasurer shall distribute funds to the counties four  
17 times per month, with no more than ten days between each payment date.  
18 The money distributed to the county shall be paid, distributed, and  
19 prorated to the various other funds in the same manner as general taxes  
20 are paid and distributed during the year of payment.

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