
HOUSE BILL 3110

State of Washington 58th Legislature 2004 Regular Session

By Representatives Cox, Haigh, Schoesler and Armstrong

Read first time 01/28/2004. Referred to Committee on Education.

1 AN ACT Relating to emergency school repair and renovation; amending
2 RCW 28A.515.320; adding a new section to chapter 28A.515 RCW; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.515
6 RCW to read as follows:

7 (1) The Washington emergency school repair and renovation grant
8 program is created to help class two school districts pay for any
9 nonrecurring costs associated with urgent facilities repairs and
10 renovations related to health and safety risks, fire and building code
11 deficiencies, access for disabled students, and asbestos abatement or
12 removal.

13 (2) The office of the superintendent of public instruction shall
14 administer the program. The types of projects that may be funded in a
15 given year shall be determined by any legislation providing funds for
16 the program. First priority for grants shall be given to small and
17 rural school districts that have attempted but not passed a school
18 maintenance and operation or a school bond levy that included the
19 purpose of the requested grant. The superintendent may adopt

1 additional priorities by rule that provide a determined percentage of
2 any remaining funds for high poverty school districts and for small and
3 rural school districts in which the voters have passed school
4 maintenance and operation or school bond levies. The superintendent of
5 public instruction shall define by rule "small and rural school
6 district" and "high poverty school district," and determine the process
7 for grant application, participant selection, permissible use of grant
8 funds, and funding accountability. The rules shall permit a simple and
9 streamlined application and reporting process for program participants.

10 (3) The program may fund the nonrecurring costs of the urgent
11 repair or renovation of facilities needing to address one or more of
12 the conditions in subsection (1) of this section. The projects may
13 address facility components including:

- 14 (a) Fire alarm and fire sprinkler systems;
- 15 (b) Heating and ventilation or cooling systems;
- 16 (c) Roof membranes and structures;
- 17 (d) Window systems;
- 18 (e) Plumbing, sewage, or septic systems;
- 19 (f) Elevators and wheelchair lifts;
- 20 (g) Door and exiting systems;
- 21 (h) Foundations and floor finishes; and
- 22 (i) Electrical wiring.

23 (4) Funds for the program may not be used for ongoing costs or any
24 of the following purposes:

- 25 (a) Constructing new facilities;
- 26 (b) Stadiums or facilities used for athletics or exhibitions or
27 where admission is charged to the general public;
- 28 (c) Facility maintenance; or
- 29 (d) The cost of the grant application.

30 (5) The Washington emergency school repair and renovation grant
31 account is created in the custody of the state treasurer. All receipts
32 from appropriations by the legislature or from federal funds for the
33 purposes of this act must be deposited into the account. Expenditures
34 from the account may be used only for the purposes in RCW 28A.515.320.
35 Only the superintendent of public instruction or his or her designee
36 may authorize expenditures from the account. The account is subject to
37 allotment procedures under chapter 43.88 RCW, but an appropriation is
38 not required for expenditures.

1 **Sec. 2.** RCW 28A.515.320 and 1996 c 186 s 503 are each amended to
2 read as follows:

3 The common school construction fund is, except for funds made
4 available from excess for the purpose in section 1 of this act, to be
5 used exclusively for the purpose of financing the construction of
6 facilities for the common schools. The sources of said fund shall be:
7 (1) Those proceeds derived from sale or appropriation of timber and
8 other crops from school and state land other than those granted for
9 specific purposes; (2) the interest accruing on the permanent common
10 school fund less the allocations to the state treasurer's service
11 (~~account~~ ~~fund~~) fund pursuant to RCW 43.08.190 and the state
12 investment board expense account pursuant to RCW 43.33A.160 together
13 with all rentals and other revenue derived therefrom and from land and
14 other property devoted to the permanent common school fund; (3) all
15 moneys received by the state from the United States under the
16 provisions of section 191, Title 30, United States Code, Annotated, and
17 under section 810, chapter 12, Title 16, (Conservation), United States
18 Code, Annotated, except moneys received before June 30, 2001, and when
19 thirty megawatts of geothermal power is certified as commercially
20 available by the receiving utilities and the department of community,
21 trade, and economic development, eighty percent of such moneys, under
22 the Geothermal Steam Act of 1970 pursuant to RCW 43.140.030; and (4)
23 such other sources as the legislature may direct. That portion of the
24 common school construction fund derived from interest on the permanent
25 common school fund may be used to retire such bonds as may be
26 authorized by law for the purpose of financing the construction of
27 facilities for the common schools.

28 The interest accruing on the permanent common school fund less the
29 allocations to the state treasurer's service fund pursuant to RCW
30 43.08.190 and the state investment board expense account pursuant to
31 RCW 43.33A.160 together with all rentals and other revenues accruing
32 thereto pursuant to subsection (2) of this section prior to July 1,
33 1967, shall be exclusively applied to the current use of the common
34 schools.

35 To the extent that the moneys in the common school construction
36 fund are in excess of the amount necessary to allow fulfillment of the
37 purpose of said fund, the excess shall be available for deposit to the
38 credit of the permanent common school fund (~~or available~~), for the

1 current use of the common schools, or for the Washington emergency
2 school repair and renovation grant account, as the legislature may
3 direct. With the exception of any money made available for the purpose
4 of section 1 of this act, any money from the common school construction
5 fund which is made available for the current use of the common schools
6 shall be restored to the fund by appropriation, including interest
7 income (~~forerogone~~~~[forerogone]~~) forogone, before the end of the next
8 fiscal biennium following such use.

9 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2004.

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