

2 **ESHB 1023** - S AMD TO ED COMM AMD (S-2350.2/91)

3 By Senators McCaslin, Bailey, Talmadge and Rinehart

4 Adopted 4/18/91 - Voice Vote

5 On page 77, after line 8, insert the following:

6 "Sec. 1403. RCW 84.52.053 and 1987 1st ex.s. c 2 s 103 are each
7 amended to read as follows:

8 The limitations imposed by RCW 84.52.050 through 84.52.056, and
9 84.52.043 shall not prevent the levy of additional taxes by school
10 districts, when authorized so to do by the electors of such school
11 district in the manner and for the purposes and number of years
12 allowable under Article VII, section 2(a) of the Constitution of this
13 state, as amended by Amendment 79 and as thereafter amended, at a
14 special or general election to be held in the year in which the levy is
15 made or, in the case of a one-year levy for the purpose of school nurse
16 programs in an amount that does not exceed the sum necessary to provide
17 one school nurse for every two thousand full-time equivalent students
18 in the district which sum shall not be used to determine the levy
19 limitations under RCW 84.52.0531, or in the case of a proposition
20 authorizing two-year levies for maintenance and operation support of a
21 school district or authorizing two-year through six-year levies to
22 support the construction, modernization, or remodeling of school
23 facilities, or both, at a special or general election to be held in the
24 year in which the first annual levy is made: PROVIDED, That once
25 additional tax levies have been authorized for maintenance and
26 operation support of a school district for a two year period, no
27 further additional tax levies for maintenance and operation support of
28 the district for that period may be authorized.

1 A special election may be called and the time therefor fixed by the
2 board of school directors, by giving notice thereof by publication in
3 the manner provided by law for giving notices of general elections, at
4 which special election the proposition authorizing such excess levy
5 shall be submitted in such form as to enable the voters favoring the
6 proposition to vote "yes" and those opposed thereto to vote "no".

7 **"Sec. 1404.** RCW 84.52.0531 and 1990 c 33 s 601 are each amended to
8 read as follows:

9 Except as provided for in RCW 84.52.053 for one-year levies for
10 school nurse programs, the maximum dollar amount which may be levied by
11 or for any school district for maintenance and operation support under
12 the provisions of RCW 84.52.053 shall be determined as follows:

13 (1) For the purpose of this section, the basic education allocation
14 shall be determined pursuant to RCW 28A.150.250, 28A.150.260, and
15 28A.150.350: PROVIDED, That when determining the basic education
16 allocation under subsection (4) of this section, nonresident full time
17 equivalent pupils who are participating in a program provided for in
18 chapter 28A.545 RCW or in any other program pursuant to an
19 interdistrict agreement shall be included in the enrollment of the
20 resident district and excluded from the enrollment of the serving
21 district.

22 (2) For the purposes of subsection (5) of this section, a base year
23 levy percentage shall be established. The base year levy percentage
24 shall be equal to the greater of: (a) The district's actual levy
25 percentage for calendar year 1985, (b) the average levy percentage for
26 all school district levies in the state in calendar year 1985, or (c)
27 the average levy percentage for all school district levies in the
28 educational service district of the district in calendar year 1985.

1 (3) For excess levies for collection in calendar year 1988 and
2 thereafter, the maximum dollar amount shall be the total of:

3 (a) The district's levy base as defined in subsection (4) of this
4 section multiplied by the district's maximum levy percentage as defined
5 in subsections (5) and (6) of this section; plus

6 (b) In the case of nonhigh school districts only, an amount equal
7 to the total estimated amount due by the nonhigh school district to
8 high school districts pursuant to chapter 28A.545 RCW for the school
9 year during which collection of the levy is to commence, less the
10 increase in the nonhigh school district's basic education allocation as
11 computed pursuant to subsection (1) of this section due to the
12 inclusion of pupils participating in a program provided for in chapter
13 28A.545 RCW in such computation; less

14 (c) The maximum amount of state matching funds under RCW
15 28A.500.010 for which the district is eligible in that tax collection
16 year.

17 (4) For excess levies for collection in calendar year 1988 and
18 thereafter, a district's levy base shall be the sum of the following
19 allocations received by the district for the prior school year,
20 including allocations for compensation increases, adjusted by the
21 percent increase per full time equivalent student in the state basic
22 education appropriation between the prior school year and the current
23 school year:

24 (a) The district's basic education allocation as determined
25 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

26 (b) State and federal categorical allocations for the following
27 programs:

28 (i) Pupil transportation;

29 (ii) Handicapped education;

30 (iii) Education of highly capable students;

1 (iv) Compensatory education, including but not limited to learning
2 assistance, migrant education, Indian education, refugee programs, and
3 bilingual education;

4 (v) Food services; and

5 (vi) State-wide block grant programs; and

6 (c) Any other federal allocations for elementary and secondary
7 school programs, including direct grants, other than federal impact aid
8 funds and allocations in lieu of taxes.

9 (5) For levies to be collected in calendar year 1988, a district's
10 maximum levy percentage shall be determined as follows:

11 (a) Multiply the district's base year levy percentage as defined in
12 subsection (2) of this section by the district's levy base as
13 determined in subsection (4) of this section;

14 (b) Reduce the amount in (a) of this subsection by the total
15 estimated amount of any levy reduction funds as defined in subsection
16 (7) of this section which are to be allocated to the district for the
17 1987-88 school year;

18 (c) Divide the amount in (b) of this subsection by the district's
19 levy base to compute a new percentage; and

20 (d) The percentage in (c) of this subsection or twenty percent,
21 whichever is greater, shall be the district's maximum levy percentage
22 for levies collected in calendar year 1988.

23 (6) For excess levies for collection in calendar year 1989 and
24 thereafter, a district's maximum levy percentage shall be determined as
25 follows:

26 (a) Multiply the district's maximum levy percentage for the prior
27 year or thirty percent, whichever is less, by the district's levy base
28 as determined in subsection (4) of this section;

29 (b) Reduce the amount in (a) of this subsection by the total
30 estimated amount of any levy reduction funds as defined in subsection

1 (7) of this section which are to be allocated to the district for the
2 current school year;

3 (c) Divide the amount in (b) of this subsection by the district's
4 levy base to compute a new percentage; and

5 (d) The percentage in (c) of this subsection or twenty percent,
6 whichever is greater, shall be the district's maximum levy percentage
7 for levies collected in that calendar year.

8 (7) "Levy reduction funds" shall mean increases in state funds from
9 the prior school year for programs included under subsection (4) of
10 this section: (a) That are not attributable to enrollment changes,
11 compensation increases, or inflationary adjustments; and (b) that are
12 or were specifically identified as levy reduction funds in the
13 appropriations act. If levy reduction funds are dependent on formula
14 factors which would not be finalized until after the start of the
15 current school year, the superintendent of public instruction shall
16 estimate the total amount of levy reduction funds by using prior school
17 year data in place of current school year data. Levy reduction funds
18 shall not include moneys received by school districts from cities or
19 counties.

20 (8) For the purposes of this section, "prior school year" shall
21 mean the most recent school year completed prior to the year in which
22 the levies are to be collected.

23 (9) For the purposes of this section, "current school year" shall
24 mean the year immediately following the prior school year.

25 (10) The superintendent of public instruction shall develop rules
26 and regulations and inform school districts of the pertinent data
27 necessary to carry out the provisions of this section."

28 Renumber the remaining sections consecutively and correct any
29 internal references accordingly.

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4 On page 81, line 8 of the title amendment, after "41.59.020,"
5 strike "and 41.56.030" and insert "41.56.030, 84.52.053, and
6 84.52.0531"