

SUBSTITUTE HOUSE BILL 2294

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Education (originally sponsored by Representatives Patterson, G. Fisher, Dorn, Brough, Karahalios, Cothorn, Campbell, Shin, Basich, Springer, B. Thomas, Holm and J. Kohl)

Read first time 01/28/94.

1 AN ACT Relating to allowing two-year levies for the acquisition of
2 motor vehicles for student transportation; and amending RCW 84.52.053
3 and 84.52.0531.

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

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

7 The limitations imposed by RCW 84.52.050 through 84.52.056, and
8 84.52.043 shall not prevent the levy of ~~((additional))~~ taxes by school
9 districts, when authorized so to do by the ~~((electors))~~ voters of such
10 school district in the manner and for the purposes and number of years
11 allowable under Article VII, section 2(a) of the Constitution of this
12 state(~~(, as amended by Amendment 79 and as thereafter amended, at a~~
13 ~~special or general election to)~~). Elections for such taxes shall be
14 held in the year in which the levy is made or, in the case of ~~((a))~~
15 propositions authorizing two-year levies for maintenance and operation
16 support of a school district, authorizing two-year levies for
17 transportation vehicle funds established in RCW 28A.160.130, or
18 authorizing two-year through six-year levies to support the
19 construction, modernization, or remodeling of school facilities, ~~((or~~

1 both, at a special or general election to be held)) in the year in
2 which the first annual levy is made: PROVIDED, That once additional
3 tax levies have been authorized for maintenance and operation support
4 of a school district for a two-year period, no further additional tax
5 levies for maintenance and operation support of the district for that
6 period may be authorized.

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

13 **Sec. 2.** RCW 84.52.0531 and 1993 c 465 s 1 are each amended to read
14 as follows:

15 The maximum dollar amount which may be levied by or for any school
16 district for maintenance and operation support under the provisions of
17 RCW 84.52.053 shall be determined as follows:

18 (1) For excess levies for collection in calendar year 1992, the
19 maximum dollar amount shall be calculated pursuant to the laws and
20 rules in effect in November 1991.

21 (2) For the purpose of this section, the basic education allocation
22 shall be determined pursuant to RCW 28A.150.250, 28A.150.260, and
23 28A.150.350: PROVIDED, That when determining the basic education
24 allocation under subsection (4) of this section, nonresident full time
25 equivalent pupils who are participating in a program provided for in
26 chapter 28A.545 RCW or in any other program pursuant to an
27 interdistrict agreement shall be included in the enrollment of the
28 resident district and excluded from the enrollment of the serving
29 district.

30 (3) For excess levies for collection in calendar year 1993 and
31 thereafter, the maximum dollar amount shall be the sum of (a) and (b)
32 of this subsection minus (c) of this subsection:

33 (a) The district's levy base as defined in subsection (4) of this
34 section multiplied by the district's maximum levy percentage as defined
35 in subsection (5) of this section;

36 (b) In the case of nonhigh school districts only, an amount equal
37 to the total estimated amount due by the nonhigh school district to
38 high school districts pursuant to chapter 28A.545 RCW for the school

1 year during which collection of the levy is to commence, less the
2 increase in the nonhigh school district's basic education allocation as
3 computed pursuant to subsection (1) of this section due to the
4 inclusion of pupils participating in a program provided for in chapter
5 28A.545 RCW in such computation;

6 (c) The maximum amount of state matching funds under RCW
7 28A.500.010 for which the district is eligible in that tax collection
8 year.

9 (4) For excess levies for collection in calendar year 1993 and
10 thereafter, a district's levy base shall be the sum of allocations in
11 (a) through (c) of this subsection received by the district for the
12 prior school year, including allocations for compensation increases,
13 plus the sum of such allocations multiplied by the percent increase per
14 full time equivalent student as stated in the state basic education
15 appropriation section of the biennial budget between the prior school
16 year and the current school year and divided by fifty-five percent. A
17 district's levy base shall not include local school district property
18 tax levies or other local revenues, or state and federal allocations
19 not identified in (a) through (c) of this subsection.

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

22 (b) State and federal categorical allocations for the following
23 programs:

24 (i) Pupil transportation;

25 (ii) Handicapped education;

26 (iii) Education of highly capable students;

27 (iv) Compensatory education, including but not limited to learning
28 assistance, migrant education, Indian education, refugee programs, and
29 bilingual education;

30 (v) Food services; and

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

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

35 (5) For excess levies for collection in calendar year 1993 and
36 thereafter, a district's maximum levy percentage shall be determined as
37 follows:

1 (a) Multiply the district's maximum levy percentage for the prior
2 year by the district's levy base as determined in subsection (4) of
3 this section;

4 (b) Reduce the amount in (a) of this subsection by the total
5 estimated amount of any levy reduction funds as defined in subsection
6 (6) of this section which are to be allocated to the district for the
7 current school year;

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

10 (d) The percentage in (c) of this subsection or twenty percent,
11 whichever is greater, shall be the district's maximum levy percentage
12 for levies collected in that calendar year; and

13 (e) For levies to be collected in calendar years 1994 and 1995 the
14 maximum levy rate shall be the district's maximum levy percentage for
15 1993 plus four percent reduced by any levy reduction funds. For levies
16 collected in 1996, the prior year shall mean 1993.

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

29 (7) For the purposes of this section, "prior school year" shall
30 mean the most recent school year completed prior to the year in which
31 the levies are to be collected.

32 (8) For the purposes of this section, "current school year" shall
33 mean the year immediately following the prior school year.

34 (9) Funds collected from transportation vehicle fund tax levies
35 shall not be subject to the levy limitations in this section.

1 (10) The superintendent of public instruction shall develop rules
2 and regulations and inform school districts of the pertinent data
3 necessary to carry out the provisions of this section.

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