

CERTIFICATION OF ENROLLMENT

SENATE BILL 6010

Chapter 13, Laws of 1995

(partial veto)

54th Legislature
1995 First Special Session

LEARNING ASSISTANCE PROGRAM

EFFECTIVE DATE: 8/22/95

Passed by the Senate May 16, 1995
YEAS 35 NAYS 10

JOEL PRITCHARD

President of the Senate

Passed by the House May 23, 1995
YEAS 82 NAYS 11

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved June 14, 1995, with the
exception of section 2, which is
vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the
Senate of the State of Washington,
do hereby certify that the attached
is **SENATE BILL 6010** as passed by the
Senate and the House of
Representatives on the dates hereon
set forth.

MARTY BROWN

Secretary

FILED

June 14, 1995 - 10:22 a.m.

**Secretary of State
State of Washington**

SENATE BILL 6010

Passed Legislature - 1995 First Special Session

State of Washington 54th Legislature 1995 Regular Session

By Senators McAuliffe and Rinehart

Read first time 02/22/95. Referred to Committee on Education.

1 AN ACT Relating to the learning assistance program; amending RCW
2 28A.165.070; and declaring an emergency.

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

4 **Sec. 1.** RCW 28A.165.070 and 1993 sp.s. c 24 s 520 are each amended
5 to read as follows:

6 Each school district which has established an approved program
7 shall be eligible, as determined by the superintendent of public
8 instruction, for state funds made available for the purposes of such
9 programs.

10 (1) For the (~~1993-94 and 1994-95~~) 1995-96 school year(~~s~~) and
11 thereafter, the superintendent of public instruction shall distribute
12 funds appropriated for the learning assistance program in accordance
13 with the biennial appropriations act. The distribution formula shall
14 be based upon an assessment of students and a poverty factor.

15 (2) (~~For the 1995-96 school year and thereafter and unless~~
16 ~~modified under subsection (4) of this section, the superintendent of~~
17 ~~public instruction shall make use of data derived from the basic skills~~
18 ~~tests in determining the amount of funds for which a district may be~~
19 ~~eligible. Funds shall be distributed according to the district's total~~

1 full-time equivalent enrollment in kindergarten through grade nine and
2 the percentage of the district's students taking the basic skills tests
3 who scored in the lowest quartile as compared with national norms. In
4 making this calculation, the superintendent of public instruction may
5 use an average over the immediately preceding five or fewer years of
6 the district's percentage scoring in the lowest quartile. The
7 superintendent of public instruction shall also deduct the number of
8 students at these age levels who are identified as specific learning
9 disabled and are generating state funds for special education programs
10 conducted pursuant to RCW 28A.155.010 through 28A.155.100, in
11 distributing state funds for learning assistance.

12 ~~((3))~~ The distribution ~~((formula in this section))~~ of funds is for
13 allocation purposes only.

14 ~~((4))~~ (3) The superintendent of public instruction shall
15 recommend to the legislature a new allocation formula ~~((for use in the~~
16 ~~1995-97 fiscal biennium))~~ that uses additional elements consistent with
17 performance-based education and the new assessment system developed by
18 the commission on student learning. ~~((The superintendent may request~~
19 ~~a delay in development of the new allocation formula if the~~
20 ~~commission's assessment system is not available for use in the 1995-97~~
21 ~~biennium))~~ The superintendent of public instruction shall develop the
22 recommendations for a new allocation formula not later than the 1997-98
23 school year, based upon the initial implementation of the assessment
24 system for reading, writing, communication, and mathematics.

25 ****NEW SECTION. Sec. 2. This act is necessary for the immediate***
26 ***preservation of the public peace, health, or safety, or support of the***
27 ***state government and its existing public institutions, and shall take***
28 ***effect immediately.***

29 ****Sec. 2 was vetoed. See message at end of chapter.***

Passed the Senate May 16, 1995.

Passed the House May 23, 1995.

Approved by the Governor June 14, 1995, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State June 14, 1995.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 2,
3 Senate Bill No. 6010 entitled:

4 "AN ACT Relating to the learning assistance program;"

1 Senate Bill No. 6010 changes the state funding formula for the
2 learning assistance program beginning with the 1995-96 school year.
3 Section 2 contains an emergency clause indicating this act is necessary
4 "for the immediate preservation of the public peace, health, or safety,
5 or support of the state government." However, the new formula starts
6 with the beginning of the 1995-96 school year, which is not until
7 September 1, 1995. Preventing this bill from being subject to a
8 referendum under Article II, section 1(b) of the state Constitution
9 unnecessarily denies the people of this state their power, at their own
10 option, to approve or reject this bill at the polls.

11 For this reason, I am vetoing section 2 of Senate Bill No. 6010.

12 With the exception of section 2, Senate Bill No. 6010 is approved."