
HOUSE BILL 2746

State of Washington

55th Legislature

1998 Regular Session

By Representatives Koster, Morris, Johnson, Linville, L. Thomas, Dunn, Zellinsky, Boldt, Mielke and Gardner

Read first time 01/19/98. Referred to Committee on Appropriations.

1 AN ACT Relating to school district revenues; amending RCW
2 28A.150.250 and 28A.520.020; and reenacting and amending RCW 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 portion
11 of such locally available revenues, (~~other than receipts from federal
12 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 and all
16 revenues distributed to the district as a result of excess property tax
17 levies, will constitute a basic education allocation in dollars for
18 each annual average full time equivalent student enrolled, based upon
19 one full school year of one hundred eighty days, except that for

1 kindergartens one full school year shall be one hundred eighty half
2 days of 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)) The remaining fifty percent of the funds shall be allocated
27 to the school districts in the United States forest reserve from which
28 such moneys were received.~~

29 ~~(2) All federal forest funds shall be expended in accordance with
30 the requirements of Title 16, section 500, United States Code, as now
31 existing or hereafter amended.~~

32 **Sec. 3.** RCW 76.12.120 and 1988 c 128 s 32 and 1988 c 70 s 1 are
33 each reenacted and amended to read as follows:

34 All land, acquired or designated by the department as state forest
35 land, shall be forever reserved from sale, but the timber and other
36 products thereon may be sold or the land may be leased in the same
37 manner and for the same purposes as is authorized for state granted

1 land if the department finds such sale or lease to be in the best
2 interests of the state and approves the terms and conditions thereof.

3 Except as provided in RCW 79.12.035, all money derived from the
4 sale of timber or other products, or from lease, or from any other
5 source from the land, except where the Constitution of this state or
6 RCW 76.12.030 requires other disposition, shall be disposed of as
7 follows:

8 (1) Fifty percent shall be placed in the forest development
9 account.

10 (2) Fifty percent shall be prorated and distributed to the state
11 general fund, to be dedicated for the benefit of the public schools,
12 and the county in which the land is located according to the relative
13 proportions of tax levies of all taxing districts in the county. The
14 portion to be distributed to the state general fund shall be based on
15 the regular school levy rate under RCW 84.52.065 as now or hereafter
16 amended (~~and the levy rate for any maintenance and operation special~~
17 ~~school levies)). The money distributed to the county shall be paid,
18 distributed, and prorated to the various other funds in the same manner
19 as general taxes are paid and distributed during the year of payment.~~

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