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HOUSE BILL 2734

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By Representatives Hankins, Grant, Delvin, Schoesler, Armstrong, Hatfield, Esser, Ruderman, Woods, Mitchell, Alexander, Anderson, Talcott and Schual-Berke

Read first time 01/25/2002. Referred to Committee on Education.

1 AN ACT Relating to support for school science education; amending  
2 RCW 28A.655.130 and 70.105D.070; and providing an effective date.

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

4 **Sec. 1.** RCW 28A.655.130 and 1999 c 388 s 402 are each amended to  
5 read as follows:

6 (1) To the extent funds are appropriated, the office of the  
7 superintendent of public instruction annually shall allocate  
8 accountability implementation funds to school districts. The purposes  
9 of the funds are to: Develop and update student learning improvement  
10 plans; implement curriculum materials and instructional strategies;  
11 provide staff professional development to implement the selected  
12 curricula and instruction; develop and implement assessment strategies  
13 and training in assessment scoring; and fund other activities intended  
14 to improve student learning for all students, including students with  
15 diverse needs. Activities funded by the allocations must be consistent  
16 with the school or district improvement plan, designed to improve the  
17 ability of teachers and other instructional certificated and classified  
18 staff to assist students in meeting the essential academic learning  
19 requirements, and designed to achieve state and local accountability

1 goals. Activities funded by the allocations shall be designed to  
2 protect the teachers' instructional time with students and minimize the  
3 use of substitute teachers.

4 (2) Schools receiving funds shall develop, update as needed, and  
5 keep on file a school student learning improvement plan to achieve the  
6 student learning goals and essential academic learning requirements and  
7 to implement the assessment system as it is developed. The plan shall  
8 delineate how the accountability implementation funds will be used to  
9 accomplish the requirements of this section. The plan shall be made  
10 available to the public and to others upon request.

11 (3) The superintendent of public instruction may allocate to school  
12 districts funds provided under RCW 70.105D.070(5) for curriculum  
13 materials and instructional strategies aligned to the state's essential  
14 academic learning requirements in science.

15 (4) The amount of allocations shall be determined in the omnibus  
16 appropriations act.

17 ~~((+4))~~ (5) The state schools for the deaf and blind are eligible  
18 to receive allocations under this section.

19 ~~((+5))~~ (6) The superintendent of public instruction may adopt  
20 timelines and rules as necessary under chapter 34.05 RCW to administer  
21 the program, and require that schools and districts submit reports  
22 regarding the use of the funds.

23 **Sec. 2.** RCW 70.105D.070 and 2001 c 27 s 2 are each amended to read  
24 as follows:

25 (1) The state toxics control account and the local toxics control  
26 account are hereby created in the state treasury.

27 (2) The following moneys shall be deposited into the state toxics  
28 control account: (a) Those revenues which are raised by the tax  
29 imposed under RCW 82.21.030 and which are attributable to that portion  
30 of the rate equal to thirty-three one-hundredths of one percent; (b)  
31 the costs of remedial actions recovered under this chapter or chapter  
32 70.105A RCW; (c) penalties collected or recovered under this chapter;  
33 and (d) any other money appropriated or transferred to the account by  
34 the legislature. Moneys in the account may be used only to carry out  
35 the purposes of this chapter, including but not limited to the  
36 following activities:

1 (i) The state's responsibility for hazardous waste planning,  
2 management, regulation, enforcement, technical assistance, and public  
3 education required under chapter 70.105 RCW;

4 (ii) The state's responsibility for solid waste planning,  
5 management, regulation, enforcement, technical assistance, and public  
6 education required under chapter 70.95 RCW;

7 (iii) The hazardous waste cleanup program required under this  
8 chapter;

9 (iv) State matching funds required under the federal cleanup law;

10 (v) Financial assistance for local programs in accordance with  
11 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

12 (vi) State government programs for the safe reduction, recycling,  
13 or disposal of hazardous wastes from households, small businesses, and  
14 agriculture;

15 (vii) Hazardous materials emergency response training;

16 (viii) Water and environmental health protection and monitoring  
17 programs;

18 (ix) Programs authorized under chapter 70.146 RCW;

19 (x) (~~A public participation program, including regional citizen~~  
20 ~~advisory committees~~) K-12 science education programs administered by  
21 the office of the superintendent of public instruction;

22 (xi) Public funding to assist potentially liable persons to pay for  
23 the costs of remedial action in compliance with cleanup standards under  
24 RCW 70.105D.030(2)(e) but only when the amount and terms of such  
25 funding are established under a settlement agreement under RCW  
26 70.105D.040(4) and when the director has found that the funding will  
27 achieve both (A) a substantially more expeditious or enhanced cleanup  
28 than would otherwise occur, and (B) the prevention or mitigation of  
29 unfair economic hardship; and

30 (xii) Development and demonstration of alternative management  
31 technologies designed to carry out the top two hazardous waste  
32 management priorities of RCW 70.105.150.

33 (3) The following moneys shall be deposited into the local toxics  
34 control account: Those revenues which are raised by the tax imposed  
35 under RCW 82.21.030 and which are attributable to that portion of the  
36 rate equal to thirty-seven one-hundredths of one percent.

37 (a) Moneys deposited in the local toxics control account shall be  
38 used by the department for grants or loans to local governments for the  
39 following purposes in descending order of priority: (i) Remedial

1 actions; (ii) hazardous waste plans and programs under chapter 70.105  
2 RCW; (iii) solid waste plans and programs under chapters 70.95, 70.95C,  
3 70.95I, and 70.105 RCW; (iv) funds for a program to assist in the  
4 assessment and cleanup of sites of methamphetamine production, but not  
5 to be used for the initial containment of such sites, consistent with  
6 the responsibilities and intent of RCW 69.50.511; and (v) cleanup and  
7 disposal of hazardous substances from abandoned or derelict vessels  
8 that pose a threat to human health or the environment. For purposes of  
9 this subsection (3)(a)(v), "abandoned or derelict vessels" means  
10 vessels that have little or no value and either have no identified  
11 owner or have an identified owner lacking financial resources to clean  
12 up and dispose of the vessel. Funds for plans and programs shall be  
13 allocated consistent with the priorities and matching requirements  
14 established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW. During  
15 the 1999-2001 fiscal biennium, moneys in the account may also be used  
16 for the following activities: Conducting a study of whether dioxins  
17 occur in fertilizers, soil amendments, and soils; reviewing  
18 applications for registration of fertilizers; and conducting a study of  
19 plant uptake of metals.

20 (b) Funds may also be appropriated to the department of health to  
21 implement programs to reduce testing requirements under the federal  
22 safe drinking water act for public water systems. The department of  
23 health shall reimburse the account from fees assessed under RCW  
24 70.119A.115 by June 30, 1995.

25 (4) Except for unanticipated receipts under RCW 43.79.260 through  
26 43.79.282, moneys in the state and local toxics control accounts may be  
27 spent only after appropriation by statute.

28 (5) ~~One percent of the moneys deposited into the state and local  
29 toxics control accounts shall be ((allocated only for public  
30 participation grants to persons who may be adversely affected by a  
31 release or threatened release of a hazardous substance and to not for-  
32 profit public interest organizations. The primary purpose of these  
33 grants is to facilitate the participation by persons and organizations  
34 in the investigation and remedying of releases or threatened releases  
35 of hazardous substances and to implement the state's solid and  
36 hazardous waste management priorities. However, during the 1999-2001  
37 fiscal biennium, funding may not be granted to entities engaged in  
38 lobbying activities, and applicants may not be awarded grants if their  
39 cumulative grant awards under this section exceed two hundred thousand~~

1 dollars. ~~No grant may exceed sixty thousand dollars. Grants may be~~  
2 ~~renewed annually~~) appropriated to the office of the superintendent of  
3 public instruction, to be used solely for grants to school districts  
4 for instructional materials for science education, in amounts and in a  
5 manner identified by the superintendent of public instruction, and for  
6 school-based instructional programs provided by the pacific science  
7 center. Priority in making grants to school districts for science  
8 education is given to projects and curricula emphasizing safe  
9 management of hazardous waste and water and environmental health  
10 protection. Moneys appropriated for (~~public participation~~) science  
11 education from either account which are not expended at the close of  
12 any biennium shall revert to the state toxics control account.

13 (6) No moneys deposited into either the state or local toxics  
14 control account may be used for solid waste incinerator feasibility  
15 studies, construction, maintenance, or operation.

16 (7) The department shall adopt rules for grant or loan issuance and  
17 performance.

18 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2002.

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