

SHB 2261 - H AMD TO H AMD (H-2636.1/09) **344**

By Representative Anderson

NOT ADOPTED 3/12/2009

1 On page 5, after line 15 of the striking amendment, insert the
2 following:

3 "NEW SECTION. **Sec. 5.** A new section is added to chapter 44.04
4 RCW to read as follows:

5 Under Article IX, section 1 of the state Constitution, it is the
6 paramount duty of the state to make ample provision for the education
7 of all of Washington's children. According to the state supreme
8 court, this constitutional provision requires that the legislature
9 define and fully fund a program of K-12 basic education before the
10 legislature funds any other statutory programs. For these reasons, it
11 is the intent of the legislature to require that all appropriations
12 for K-12 basic education, together with appropriations for other K-12
13 education programs, be enacted into law before the legislature takes
14 executive action on other omnibus appropriations legislation.

15
16 **Sec. 6.** RCW 28A.150.380 and 2001 c 3 s 10 are each amended to
17 read as follows:

18 (1) The state legislature shall, at each regular session in an
19 odd-numbered year, appropriate from the state general fund for the
20 current use of the common schools such amounts as needed for state
21 support to the common schools during the ensuing biennium as provided
22 in this chapter, RCW 28A.160.150 through 28A.160.210, 28A.300.170, and
23 28A.500.010.

24 (2) The state legislature shall also, at each regular session in
25 an odd-numbered year, appropriate from the student achievement fund
26 and education construction fund solely for the purposes of and in
27

1 accordance with the provisions of the student achievement act during
2 the ensuing biennium.

3 (3) Beginning with the 2011-2013 fiscal biennium and thereafter,
4 appropriations for the purposes of this section and other K-12
5 education purposes must be made in legislation that is separate from
6 the omnibus operating appropriations act. Such appropriations must be
7 enacted into law before it is in order for either house of the
8 legislature to take executive action on omnibus operating
9 appropriations legislation.

10
11 NEW SECTION. Sec. 7. A new section is added to chapter 44.04 RCW
12 to read as follows:

13 Beginning with the 2011-2013 fiscal biennium and thereafter,
14 appropriations for the purposes of RCW 28A.150.380 and other K-12
15 education purposes must be enacted into law before it is in order for
16 either house of the legislature to take executive action on omnibus
17 operating or transportation appropriations legislation.

18 The house of representatives and senate, jointly or separately,
19 may adopt rules or resolutions to implement their respective
20 responsibilities under this section."

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22 On page 48, after line 29 of the striking amendment, insert the
23 following:

24 "NEW SECTION. Sec. 605. Sections 5 through 7 of this act take
25 effect January 1, 2010, if the proposed amendment to Article IX of the
26 state Constitution HJR 4203 is validly submitted to and is approved
27 and ratified by the voters at the next general election. If the
28 proposed amendment is not approved and ratified, sections 5 through 7
29 of this act are void in their entirety."

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31 Renumber the remaining section consecutively.

32
EFFECT: Requires appropriations for Basic Education and other K-
12 Education purposes to be made in separate legislation from the
regular omnibus appropriations act. Requires those appropriations

to be enacted into law before the House or Senate takes executive action on the omnibus appropriations act. If a Constitutional amendment adopting these provisions is not ratified by the voters, the provisions are void.

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