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HOUSE BILL 3180

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Anderson and Angel

Read first time 02/08/10.

1            AN ACT Relating to prioritizing basic education expenditures within  
2 the state appropriations process; amending RCW 28A.150.380; reenacting  
3 and amending RCW 28A.150.380; adding new sections to chapter 44.04 RCW;  
4 providing contingent effective dates; and providing an expiration date.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 44.04 RCW  
7 to read as follows:

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

1           **Sec. 2.** RCW 28A.150.380 and 2009 c 479 s 16 are each amended to  
2 read as follows:

3           (1) The state legislature shall, at each regular session in an odd-  
4 numbered year, appropriate from the state general fund for the current  
5 use of the common schools such amounts as needed for state support to  
6 the common schools during the ensuing biennium as provided in this  
7 chapter, RCW 28A.160.150 through 28A.160.210, 28A.300.170, and  
8 28A.500.010.

9           (2) The state legislature shall also, at each regular session in an  
10 odd-numbered year, appropriate from the general fund and education  
11 construction fund for the purposes of and in accordance with the  
12 provisions of the student achievement act during the ensuing biennium.

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

20           **Sec. 3.** RCW 28A.150.380 and 2009 c 548 s 110 and 2009 c 479 s 16  
21 are each reenacted and amended to read as follows:

22           (1) The state legislature shall, at each regular session in an odd-  
23 numbered year, appropriate for the current use of the common schools  
24 such amounts as needed for state support to school districts during the  
25 ensuing biennium for the program of basic education under RCW  
26 28A.150.200.

27           (2) In addition to those state funds provided to school districts  
28 for basic education, the legislature may appropriate funds to be  
29 distributed to school districts for other factors and for other special  
30 programs to enhance or enrich the program of basic education.

31           (3) The state legislature shall also, at each regular session in an  
32 odd-numbered year, appropriate from the general fund and education  
33 construction fund for the purposes of and in accordance with the  
34 provisions of the student achievement act during the ensuing biennium.

35           (4) Beginning with appropriations for the 2011-2013 fiscal biennium  
36 and thereafter, appropriations for the purposes of this section and  
37 other K-12 education purposes must be made in legislation that is

1 separate from the omnibus operating appropriations act. Such  
2 appropriations must be enacted into law before it is in order for  
3 either house of the legislature to take executive action on omnibus  
4 operating appropriations legislation.

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

7 Beginning with appropriations for the 2013-2015 fiscal biennium and  
8 thereafter, appropriations for the purposes of RCW 28A.150.380 and  
9 other K-12 education purposes must be enacted into law before it is in  
10 order for either house of the legislature to take executive action on  
11 omnibus operating or transportation appropriations legislation.

12 The house of representatives and senate, jointly or separately, may  
13 adopt rules or resolutions to implement their respective  
14 responsibilities under this section.

15 NEW SECTION. Sec. 5. Section 2 of this act expires September 1,  
16 2011.

17 NEW SECTION. Sec. 6. (1) This act takes effect as provided for in  
18 this section, if the proposed amendment to Article IX of the state  
19 Constitution HJR . . . . (H-5033.2/10) is validly submitted to and is  
20 approved and ratified by the voters at the next general election.

21 (2)(a) Sections 1, 2, and 4 of this act take effect January 1,  
22 2011.

23 (b) Section 3 of this act takes effect September 1, 2012.

24 (3) If the proposed amendment is not approved and ratified, this  
25 act is void in its entirety.

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