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**SUBSTITUTE SENATE BILL 5881**

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**State of Washington                      63rd Legislature                      2014 Regular Session**

**By Senate Ways & Means (originally sponsored by Senator Hill)**

READ FIRST TIME 03/11/14.

1            AN ACT Relating to prioritizing state revenue growth for education;  
2 adding a new section to chapter 43.135 RCW; creating a new section; and  
3 providing for submission of this act to a vote of the people.

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

5            NEW SECTION.    **Sec. 1.**    This act shall be known and cited as the  
6 kids first act.

7            The legislature finds that over the last thirty years education has  
8 been a declining priority of the state budget. From 1981-1983 to 2011-  
9 2013, the growth rate in noneducation spending has been double that of  
10 education. This trend has diverted billions of dollars away from  
11 education and into nonparamount, nonconstitutionally mandated areas of  
12 the budget, resulting in significant real-life consequences including:

13            (1) A state supreme court decision that the state has failed to  
14 provide ample funding for basic education in violation of the state  
15 Constitution;

16            (2) Tuition rates at public universities and colleges that on  
17 average have doubled over the last decade and are among the highest in  
18 the nation, ranking in the top fifteen for community colleges and four-  
19 year institutions of higher education; and

1 (3) An educational pipeline that results in fewer than one in five  
2 high school ninth graders graduating from college, a rate that places  
3 Washington in the bottom half of the country.

4 To reverse this thirty-year trend and the consequences arising  
5 therefrom, this kids first act prioritizes education by requiring that  
6 two-thirds of the growth in state revenues in each fiscal biennium over  
7 the next decade be expended on education, including early learning,  
8 basic education, and higher education.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.135 RCW  
10 to read as follows:

11 (1) Beginning July 1, 2015, and ending June 30, 2025, to the extent  
12 that biennial revenues to the state general fund and related funds  
13 exceed state general fund and related fund revenues for the prior  
14 fiscal biennium, the revenue may be expended by the legislature only if  
15 at least two-thirds of the expenditures are for education programs and  
16 the other net state appropriations for education programs are not  
17 reduced below the appropriation level in the prior biennium.

18 (2) As used in this section:

19 (a) "Biennial revenues to the state general fund and related funds"  
20 includes the unrestricted ending fund balance from the prior fiscal  
21 biennium and includes the transfer or diversion of revenue or money to  
22 or from another fund or account but excludes transfers to the budget  
23 stabilization account under Article VII, section 12 of the state  
24 Constitution.

25 (b) "Related funds" means the Washington opportunity pathways  
26 account and the education legacy trust account.

27 (c) "Appropriations for education programs" are:

28 (i) State allocations to school districts, charter schools, and  
29 educational service districts;

30 (ii) Appropriations to the state's institutions of higher education  
31 and appropriations to state student financial aid programs; and

32 (iii) Appropriations for the early learning program under RCW  
33 43.215.455 and 43.215.456.

34 (3) The calculations necessary to determine compliance with this  
35 section shall be performed by the economic and revenue forecast  
36 council.

1        NEW SECTION.   **Sec. 3.**   The secretary of state shall submit this act  
2   to the people for their adoption and ratification, or rejection, at the  
3   next general election to be held in this state, in accordance with  
4   Article II, section 1 of the state Constitution and the laws adopted to  
5   facilitate its operation.

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