

E2SSB 6194 - H AMD TO H AMD (H-4714.2/16) **954**
By Representative Pollet

WITHDRAWN 03/09/2016

1 On page 37, after line 22 of the amendment, insert the following:

2 "NEW SECTION. **Sec. 201.** The legislature finds that this act
3 shifts support of charter schools to the Washington opportunity
4 pathways account, and this shift reduces funding available from that
5 account for higher education and early learning programs, resulting
6 in increased demands on the state general fund to pay for services
7 previously supported from the opportunity pathways account. Further,
8 the duties imposed by this act on the state board of education, the
9 superintendent of public instruction, and school districts create
10 additional costs and burdens on these entities, which results in new
11 and increased demands against state general fund appropriations these
12 entities receive to support the state's program of basic education.
13 In particular, school districts may experience costs related to
14 students who are enrolled in charter schools but are entitled to
15 participate in school district activities or to receive services such
16 as special education from the school district. School districts may
17 also incur costs to notify student's parents about the existence of
18 charter schools located within the district. These costs in turn
19 result in a reduction of state funding that is available to state
20 agencies and school districts to fulfill the state's paramount duty
21 as established in Article IX, section 1 of the state Constitution and
22 in *McCleary v. State*, and increase the costs incurred by school
23 districts that must be funded with local levies.

24 For these reasons, it is the intent of the legislature to prevent
25 the requirements of this act from reducing state resources that are
26 available to support the Article IX duty. Recognizing that under this
27 act state expenditures for charter schools will grow over time as new
28 charter schools are authorized, the legislature intends to repeal or
29 narrow tax preferences to avoid any deleterious effect of this act on
30 state funding for the paramount duty and other educational services.
31 To this end, the legislature intends that revenues raised by these
32 revisions to tax preferences be used to replace opportunity pathways

1 account revenues that are used for charter schools, with any
2 additional revenues beyond this replacement deposited in the
3 education legacy trust account for common schools and other
4 educational purposes."

5 Renumber the remaining section consecutively and correct any
6 internal references accordingly.

7 On page 37, at the beginning of line 25 of the amendment, insert
8 "(1)"

9 On page 37, after line 38 of the amendment, insert the following:
10 "(2) By September 1, 2017, and by September 1st of every year
11 thereafter, the state treasurer shall transfer from the Washington
12 opportunity pathways account to the education legacy account an
13 amount equal to the additional revenues deposited into the
14 opportunity pathways account under section 202 of this act in the
15 prior fiscal year less amounts appropriated in the prior fiscal year
16 for the purposes of funding charter schools."

17 On page 37, after line 38 of the amendment, insert the following:

18 "NEW SECTION. Sec. 202. A new section is added to chapter 82.32
19 RCW to read as follows:

20 The estimated additional state revenues from the repeal of the
21 tax preferences under section 203 of this act must be deposited in
22 the Washington opportunity pathways account created in RCW
23 28B.76.526.

24 NEW SECTION. Sec. 203. The following acts or parts of acts are
25 each repealed:

26 (1) RCW 82.08.865 (Exemptions—Diesel, biodiesel, and aircraft
27 fuel for farm fuel users) and 2010 c 106 s 218, 2007 c 443 s 1, &
28 2006 c 7 s 1;

29 (2) RCW 82.12.865 (Exemptions—Diesel, biodiesel, and aircraft
30 fuel for farm fuel users) and 2010 c 106 s 222, 2007 c 443 s 2, &
31 2006 c 7 s 2;

32 (3) RCW 82.08.910 (Exemptions—Propane or natural gas to heat
33 chicken structures) and 2001 2nd sp.s. c 25 s 3;

34 (4) RCW 82.12.910 (Exemptions—Propane or natural gas to heat
35 chicken structures) and 2001 2nd sp.s. c 25 s 4;

1 (5) RCW 82.08.855 (Exemptions—Replacement parts for qualifying
2 farm machinery and equipment) and 2015 3rd sp.s. c 6 s 1106, 2014 c
3 97 s 601, 2007 c 332 s 1, & 2006 c 172 s 1; and

4 (6) RCW 82.12.855 (Exemptions—Replacement parts for qualifying
5 farm machinery and equipment) and 2014 c 97 s 603, 2007 c 332 s 2, &
6 2006 c 172 s 2."

7 Correct the title.

EFFECT: Repeals sales tax exemptions related to: (1) Diesel, biodiesel, and aircraft fuel for farm fuel users; (2) propane or natural gas to heat chicken structures; and (3) replacement parts for qualifying farm machinery and equipment.

Requires that the estimated additional state revenues from the repeal of the tax preferences be deposited in the Washington Opportunity Pathways Account.

Provides that the state treasurer must transfer amounts not used in the prior fiscal year to fund charter schools from the Washington Opportunity Pathways Account to the Education Legacy Account.

Includes an intent section that describes the legislature's intent in making these statutory changes.

--- END ---