
HOUSE BILL 1021

State of Washington

65th Legislature

2017 Regular Session

By Representative MacEwen

Prefiled 12/05/16.

1 AN ACT Relating to funding education first; amending RCW
2 28A.150.380 and 43.88.030; adding a new section to chapter 44.04 RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** INTENT. Under Article IX, section 1 of the
6 state Constitution, it is the paramount duty of the state to make
7 ample provision for the education of all of Washington's children.
8 According to the state supreme court, this constitutional provision
9 requires that the state must amply provide for the education of all
10 Washington children as the state's first and highest priority before
11 any other state programs or operations. For these reasons, it is the
12 intent of the legislature to require that all appropriations for K-12
13 basic education, together with appropriations for other K-12
14 education programs, be passed as separate legislation by both houses
15 of the legislature and delivered to the governor at a specified point
16 in the regular legislative session. Further, because education is the
17 state's first obligation, the legislature should make provision for
18 full funding of these K-12 appropriations from within existing
19 revenue sources without relying on new tax sources or rates to
20 support the state's paramount duty.

1 **Sec. 2.** RCW 28A.150.380 and 2012 1st sp.s. c 10 s 3 are each
2 amended to read as follows:

3 APPROPRIATIONS FOR K-12 EDUCATION AND OTHER K-12 PURPOSES. (1)
4 The state legislature shall, at each regular session in an odd-
5 numbered year, appropriate for the current use of the common schools
6 such amounts as needed for state support to school districts during
7 the ensuing biennium for the program of basic education under RCW
8 28A.150.200.

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

13 (3) Appropriations for purposes of this section and other K-12
14 education purposes must be:

15 (a) Proposed and enacted in legislation that is separate from the
16 omnibus operating appropriations act;

17 (b) Passed by both houses of the legislature and delivered to the
18 governor no later than March 31st for biennial appropriations and
19 February 15th for supplemental appropriations; and

20 (c) Based on revenue sources and rates existing in law at the
21 time of the enactment of the appropriations and may not rely on
22 changes to revenue laws to support the appropriations.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 44.04
24 RCW to read as follows:

25 LEGISLATURE MUST ENACT K-12 APPROPRIATIONS BY SPECIFIED DATES.
26 (1) During regular legislative sessions, appropriations for the
27 purposes of RCW 28A.150.380 and other K-12 education purposes must
28 be:

29 (a) Proposed and enacted in legislation that is separate from the
30 omnibus operating appropriations act;

31 (b) Passed by both houses of the legislature and delivered to the
32 governor no later than March 31st for biennial appropriations and
33 February 15th for supplemental appropriations; and

34 (c) Based on revenue sources and rates existing in law at the
35 time of the enactment of the appropriations and may not rely on
36 changes to revenue laws to support the appropriations.

37 (2) The house of representatives and senate, jointly or
38 separately, may adopt rules or resolutions to implement their
39 respective responsibilities under this section.

1 **Sec. 4.** RCW 43.88.030 and 2006 c 334 s 43 are each amended to
2 read as follows:

3 ADDITIONAL REQUIREMENTS FOR GOVERNOR'S K-12 BUDGET SUBMITTAL. (1)

4 The director of financial management shall provide all agencies with
5 a complete set of instructions for submitting biennial budget
6 requests to the director at least three months before agency budget
7 documents are due into the office of financial management. The budget
8 document or documents shall consist of the governor's budget message
9 which shall be explanatory of the budget and shall contain an outline
10 of the proposed financial policies of the state for the ensuing
11 fiscal period, as well as an outline of the proposed six-year
12 financial policies where applicable, and shall describe in connection
13 therewith the important features of the budget. The governor's budget
14 must propose a separate budget document or documents for K-12 basic
15 education under RCW 28A.150.380 and other K-12 purposes. The biennial
16 budget document or documents shall also describe performance
17 indicators that demonstrate measurable progress towards priority
18 results. The message shall set forth the reasons for salient changes
19 from the previous fiscal period in expenditure and revenue items and
20 shall explain any major changes in financial policy. Attached to the
21 budget message shall be such supporting schedules, exhibits and other
22 explanatory material in respect to both current operations and
23 capital improvements as the governor shall deem to be useful to the
24 legislature. The budget document or documents shall set forth a
25 proposal for expenditures in the ensuing fiscal period, or six-year
26 period where applicable, based upon the estimated revenues and
27 caseloads as approved by the economic and revenue forecast council
28 and caseload forecast council or upon the estimated revenues and
29 caseloads of the office of financial management for those funds,
30 accounts, sources, and programs for which the forecast councils do
31 not prepare an official forecast. Revenues shall be estimated for
32 such fiscal period from the source and at the rates existing by law
33 at the time of submission of the budget document, including the
34 supplemental budgets submitted in the even-numbered years of a
35 biennium. However, the estimated revenues and caseloads for use in
36 the governor's budget document may be adjusted to reflect budgetary
37 revenue transfers and revenue and caseload estimates dependent upon
38 budgetary assumptions of enrollments, workloads, and caseloads. All
39 adjustments to the approved estimated revenues and caseloads must be
40 set forth in the budget document. The governor may additionally

1 submit, as an appendix to each supplemental, biennial, or six-year
2 agency budget or to the budget document or documents, a proposal for
3 expenditures in the ensuing fiscal period from revenue sources
4 derived from proposed changes in existing statutes; however, this
5 proposal may not rely on revenue sources derived from proposed
6 changes in existing statutes to fund expenditures for K-12 basic
7 education under RCW 28A.150.380 and other K-12 purposes.

8 The budget document or documents shall also contain:

9 (a) Revenues classified by fund and source for the immediately
10 past fiscal period, those received or anticipated for the current
11 fiscal period, and those anticipated for the ensuing biennium;

12 (b) The undesignated fund balance or deficit, by fund;

13 (c) Such additional information dealing with expenditures,
14 revenues, workload, performance, and personnel as the legislature may
15 direct by law or concurrent resolution;

16 (d) Such additional information dealing with revenues and
17 expenditures as the governor shall deem pertinent and useful to the
18 legislature;

19 (e) Tabulations showing expenditures classified by fund,
20 function, and agency;

21 (f) The expenditures that include nonbudgeted, nonappropriated
22 accounts outside the state treasury;

23 (g) Identification of all proposed direct expenditures to
24 implement the Puget Sound water quality plan under chapter 90.71 RCW,
25 shown by agency and in total; and

26 (h) Tabulations showing each postretirement adjustment by
27 retirement system established after fiscal year 1991, to include, but
28 not be limited to, estimated total payments made to the end of the
29 previous biennial period, estimated payments for the present
30 biennium, and estimated payments for the ensuing biennium.

31 (2) The budget document or documents shall include detailed
32 estimates of all anticipated revenues applicable to proposed
33 operating or capital expenditures and shall also include all proposed
34 operating or capital expenditures. The total of beginning
35 undesignated fund balance and estimated revenues less working capital
36 and other reserves shall equal or exceed the total of proposed
37 applicable expenditures. The budget document or documents shall
38 further include:

39 (a) Interest, amortization and redemption charges on the state
40 debt;

1 (b) Payments of all reliefs, judgments, and claims;
2 (c) Other statutory expenditures;
3 (d) Expenditures incident to the operation for each agency;
4 (e) Revenues derived from agency operations;
5 (f) Expenditures and revenues shall be given in comparative form
6 showing those incurred or received for the immediately past fiscal
7 period and those anticipated for the current biennium and next
8 ensuing biennium;
9 (g) A showing and explanation of amounts of general fund and
10 other funds obligations for debt service and any transfers of moneys
11 that otherwise would have been available for appropriation;
12 (h) Common school expenditures on a fiscal-year basis;
13 (i) A showing, by agency, of the value and purpose of financing
14 contracts for the lease/purchase or acquisition of personal or real
15 property for the current and ensuing fiscal periods; and
16 (j) A showing and explanation of anticipated amounts of general
17 fund and other funds required to amortize the unfunded actuarial
18 accrued liability of the retirement system specified under chapter
19 41.45 RCW, and the contributions to meet such amortization, stated in
20 total dollars and as a level percentage of total compensation.
21 (3) The governor's operating budget document or documents shall
22 reflect the statewide priorities as required by RCW 43.88.090.
23 (4) The governor's operating budget document or documents shall
24 identify activities that are not addressing the statewide priorities.
25 (5) A separate capital budget document or schedule shall be
26 submitted that will contain the following:
27 (a) A statement setting forth a long-range facilities plan for
28 the state that identifies and includes the highest priority needs
29 within affordable spending levels;
30 (b) A capital program consisting of proposed capital projects for
31 the next biennium and the two biennia succeeding the next biennium
32 consistent with the long-range facilities plan. Inasmuch as is
33 practical, and recognizing emergent needs, the capital program shall
34 reflect the priorities, projects, and spending levels proposed in
35 previously submitted capital budget documents in order to provide a
36 reliable long-range planning tool for the legislature and state
37 agencies;
38 (c) A capital plan consisting of proposed capital spending for at
39 least four biennia succeeding the next biennium;

1 (d) A strategic plan for reducing backlogs of maintenance and
2 repair projects. The plan shall include a prioritized list of
3 specific facility deficiencies and capital projects to address the
4 deficiencies for each agency, cost estimates for each project, a
5 schedule for completing projects over a reasonable period of time,
6 and identification of normal maintenance activities to reduce future
7 backlogs;

8 (e) A statement of the reason or purpose for a project;

9 (f) Verification that a project is consistent with the provisions
10 set forth in chapter 36.70A RCW;

11 (g) A statement about the proposed site, size, and estimated life
12 of the project, if applicable;

13 (h) Estimated total project cost;

14 (i) For major projects valued over five million dollars,
15 estimated costs for the following project components: Acquisition,
16 consultant services, construction, equipment, project management, and
17 other costs included as part of the project. Project component costs
18 shall be displayed in a standard format defined by the office of
19 financial management to allow comparisons between projects;

20 (j) Estimated total project cost for each phase of the project as
21 defined by the office of financial management;

22 (k) Estimated ensuing biennium costs;

23 (l) Estimated costs beyond the ensuing biennium;

24 (m) Estimated construction start and completion dates;

25 (n) Source and type of funds proposed;

26 (o) Estimated ongoing operating budget costs or savings resulting
27 from the project, including staffing and maintenance costs;

28 (p) For any capital appropriation requested for a state agency
29 for the acquisition of land or the capital improvement of land in
30 which the primary purpose of the acquisition or improvement is
31 recreation or wildlife habitat conservation, the capital budget
32 document, or an omnibus list of recreation and habitat acquisitions
33 provided with the governor's budget document, shall identify the
34 projected costs of operation and maintenance for at least the two
35 biennia succeeding the next biennium. Omnibus lists of habitat and
36 recreation land acquisitions shall include individual project cost
37 estimates for operation and maintenance as well as a total for all
38 state projects included in the list. The document shall identify the
39 source of funds from which the operation and maintenance costs are
40 proposed to be funded;

1 (q) Such other information bearing upon capital projects as the
2 governor deems to be useful;

3 (r) Standard terms, including a standard and uniform definition
4 of normal maintenance, for all capital projects;

5 (s) Such other information as the legislature may direct by law
6 or concurrent resolution.

7 For purposes of this subsection (5), the term "capital project"
8 shall be defined subsequent to the analysis, findings, and
9 recommendations of a joint committee comprised of representatives
10 from the house capital appropriations committee, senate ways and
11 means committee, legislative evaluation and accountability program
12 committee, and office of financial management.

13 (6) No change affecting the comparability of agency or program
14 information relating to expenditures, revenues, workload, performance
15 and personnel shall be made in the format of any budget document or
16 report presented to the legislature under this section or RCW
17 43.88.160(1) relative to the format of the budget document or report
18 which was presented to the previous regular session of the
19 legislature during an odd-numbered year without prior legislative
20 concurrence. Prior legislative concurrence shall consist of (a) a
21 favorable majority vote on the proposal by the standing committees on
22 ways and means of both houses if the legislature is in session or (b)
23 a favorable majority vote on the proposal by members of the
24 legislative evaluation and accountability program committee if the
25 legislature is not in session.

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