
SENATE BILL 5725

State of Washington

59th Legislature

2005 Regular Session

By Senators Fraser, Schmidt, Rockefeller, Schoesler, Doumit, Hewitt, Eide, Brandland, Parlette, McAuliffe, Esser, Rasmussen, Mulliken and Kohl-Welles

Read first time 02/03/2005. Referred to Committee on Early Learning, K-12 & Higher Education.

1 AN ACT Relating to emergency school repair; amending RCW
2 28A.515.320; adding a new section to chapter 28A.515 RCW; providing an
3 effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.515
6 RCW to read as follows:

7 (1) The Washington emergency school repair grant program is created
8 to help school districts pay for nonrecurring costs associated with
9 urgent safety and health facilities repairs and renovations that are
10 necessary to address one or more of the following:

- 11 (a) Health and safety risks;
- 12 (b) Fire and building code deficiencies;
- 13 (c) Access for disabled students; and
- 14 (d) Asbestos abatement or removal.

15 (2) The types of urgent safety and health facilities repairs that
16 may be funded in a given year may be determined by any legislation
17 providing funds for the program. Recipient district applications may
18 not exceed one hundred thousand dollars per three-year period.

1 Districts are eligible to receive the grant only once in any three-year
2 period.

3 (3) Through the program, the superintendent of public instruction
4 may provide grants to eligible school districts for the purposes in
5 subsection (1) of this section. The grants may address facility
6 components that include but need not be limited to:

- 7 (a) Fire alarm and fire sprinkler systems;
- 8 (b) Heating and ventilation or cooling systems;
- 9 (c) Roof membranes and structures;
- 10 (d) Plumbing, sewage, or septic systems;
- 11 (e) Elevators and wheelchair lifts;
- 12 (f) Door and exiting systems;
- 13 (g) Foundations;
- 14 (h) Emergency electrical repair;
- 15 (i) Water quality issues; and
- 16 (j) Indoor environmental quality issues.

17 (4) Funds for the program may not be used for ongoing costs or any
18 of the following purposes:

- 19 (a) Construction of new facilities;
- 20 (b) Facility maintenance; or
- 21 (c) The cost of the grant application.

22 (5) The state board of education shall adopt rules and may adopt
23 guidelines for the program. The rules or guidelines, which shall be
24 adopted in consultation with the superintendent of public instruction,
25 educational service district superintendents, and an advisory committee
26 of maintenance and operations administrators shall:

27 (a) Provide factors for consideration of the grants that would
28 include, but not be limited to, difficulty in funding the projects and
29 emergency health and safety needs and the district demonstrating a
30 consistent commitment to addressing school facilities needs;

31 (b) Include additional priorities that provide a determined
32 percentage of funds for high poverty school districts and small and
33 rural school districts;

34 (c) Include a definition of "small and rural school district" and
35 "high poverty school district";

36 (d) Include guidance on grant applications and awards, participant
37 selection, permissible use of grant funds, and project accountability;
38 and

1 (e) Permit a simple and streamlined application and reporting
2 process for program participants.

3 (6) The program shall be administered by the superintendent of
4 public instruction in cooperation with the educational service district
5 superintendents and an advisory committee of maintenance and operations
6 administrators.

7 **Sec. 2.** RCW 28A.515.320 and 1996 c 186 s 503 are each amended to
8 read as follows:

9 The common school construction fund is to be used exclusively for
10 the purpose of financing the construction of facilities for the common
11 schools and for the purposes of section 1 of this act. The sources of
12 said fund shall be: (1) Those proceeds derived from sale or
13 appropriation of timber and other crops from school and state land
14 other than those granted for specific purposes; (2) the interest
15 accruing on the permanent common school fund less the allocations to
16 the state treasurer's service (~~(account-[fund])~~) fund pursuant to RCW
17 43.08.190 and the state investment board expense account pursuant to
18 RCW 43.33A.160 together with all rentals and other revenue derived
19 therefrom and from land and other property devoted to the permanent
20 common school fund; (3) all moneys received by the state from the
21 United States under the provisions of section 191, Title 30, United
22 States Code, Annotated, and under section 810, chapter 12, Title 16,
23 (Conservation), United States Code, Annotated, except moneys received
24 before June 30, 2001, and when thirty megawatts of geothermal power is
25 certified as commercially available by the receiving utilities and the
26 department of community, trade, and economic development, eighty
27 percent of such moneys, under the Geothermal Steam Act of 1970 pursuant
28 to RCW 43.140.030; and (4) such other sources as the legislature may
29 direct. That portion of the common school construction fund derived
30 from interest on the permanent common school fund may be used to retire
31 such bonds as may be authorized by law for the purpose of financing the
32 construction of facilities for the common schools.

33 The interest accruing on the permanent common school fund less the
34 allocations to the state treasurer's service fund pursuant to RCW
35 43.08.190 and the state investment board expense account pursuant to
36 RCW 43.33A.160 together with all rentals and other revenues accruing

1 thereto pursuant to subsection (2) of this section prior to July 1,
2 1967, shall be exclusively applied to the current use of the common
3 schools.

4 To the extent that the moneys in the common school construction
5 fund are in excess of the amount necessary to allow fulfillment of the
6 purpose of said fund, the excess shall be available for deposit to the
7 credit of the permanent common school fund or available for the current
8 use of the common schools, as the legislature may direct. Any money
9 from the common school construction fund (~~(which)~~) that is made
10 available for the current use of the common schools shall be restored
11 to the fund by appropriation, including interest income (~~(foregone~~
12 ~~{forgone})~~) forgone, before the end of the next fiscal biennium
13 following such use.

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 July 1, 2005.

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