

Initiative Measure No. 1388

filed January 20, 2015

FUND EDUCATION FIRST

AN ACT Relating to prioritizing state revenue growth for education; adding a new section to chapter 43.135 RCW; and creating a new section.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

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

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

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

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

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

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

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

(1) Beginning July 1, 2016, and ending June 30, 2026, to the extent that biennial revenues to the state general fund and related funds exceed state general fund and related fund revenues for the prior fiscal biennium, the revenue may be expended by the legislature only if at least two-thirds of the expenditures are for education programs and the other net state appropriations for education programs are not reduced below the appropriation level in the prior biennium.

(2) As used in this section:

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

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

(c) "Appropriations for education programs" are:

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

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

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

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

NEW SECTION. **Sec. 3.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 4.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 5.** This act is called the "Fund Education First Initiative."

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