

HOUSE BILL REPORT

HJR 4234

*As Passed House
February 17, 1992*

Brief Description: Changing the number of electors necessary to approve school levy measures.

Sponsor(s): Representatives G. Cole, Brough, Peery, Jacobsen, Brumsickle, Winsley, Dorn, Franklin, Orr, J. Kohl, Pruitt, Sheldon, Spanel, O'Brien, Brekke, Nelson and Anderson.

Brief History:

Reported by House Committee on:
Education, February 3, 1992, DP;
Passed House, February 17, 1992, 68-29.

**HOUSE COMMITTEE ON
EDUCATION**

Majority Report: *Do pass.* Signed by 15 members:
Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Brumsickle; G. Cole; Dorn; P. Johnson; Jones; J. Kohl; Neher; Orr; Rasmussen; Roland; and H. Sommers.

Minority Report: *Do not pass.* Signed by 1 member:
Representative Carlson.

Staff: Robert Butts (786-7111).

Background: According to the state constitution, tax levies upon real and personal property by the state and all taxing districts may not exceed 1 percent of the true and fair value of the property. An exception to this limitation has been granted to taxing districts, e.g. school districts, for special levies.

Generally speaking, to obtain approval of a special levy a taxing district needs to receive a 60 percent approval from the voters at the election, and the number of voters voting in the election must equal or exceed 40 percent of the voters who voted in the preceding general election.

Under this formula, the number of voters needed to validate a special election is very dependent on the number of voters who voted in the general election. When the general election turnout is large, as it was in November 1991, the

number of voters needed to validate a subsequent special levy increases.

Summary of Bill: At the next general election, voters will be asked whether the state constitution should be amended to modify the number of voters needed to approve special levies for school district operation, maintenance and capital construction.

The proposed amendment would remove the current requirement that at least 40 percent of the voters in the general election vote in the special election. The only requirement concerning the number of electors necessary to approve a tax levy for schools would be that 60 percent of the electors voting on the proposition vote "yes." The amendment would apply to both maintenance and operation and bond levies.

Fiscal Note: Requested January 22, 1992.

Effective Date: Upon adoption of both houses of the Legislature.

Testimony For: There is no rational connection between the general election turnout and whether school levies should pass. The Legislature has passed similar legislation in the past.

Testimony Against: When raising taxes, it is important that a large percentage of voters approve. This legislation will allow a small number of voters to raise the taxes of the majority.

Witnesses: Dwayne Slate, Washington State School Directors' Association (supports); Barbara Holm, state Board of Education (supports); and Paul Locke, citizen (opposes).