

HOUSE BILL REPORT

ESHB 1298

As Passed House
March 15, 1993

Title: An act relating to school district and library district elections.

Brief Description: Providing for a simple majority of electors voting to authorize school district and library district levies and bonds.

Sponsors: By House Committee on Education (originally sponsored by Representatives G. Cole, Brough, Flemming, Dorn, Peery, Karahalios, Pruitt, Rust, Cothorn, Jones, Long, Chappell, Holm, Eide, Linville, Johanson, Foreman, Riley, J. Kohl, Springer, Cooke, Wood, Lemmon, Jacobsen, Wang, Leonard, Carlson, Brumsickle, Thomas, H. Myers, Rayburn and Orr; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction.)

Brief History:

Reported by House Committee on:
Education, February 18, 1993, DPS;
Passed House, March 15, 1993, 77-21.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Dorn, Chair; Cothorn, Vice Chair; Brough, Ranking Minority Member; Thomas, Assistant Ranking Minority Member; Brumsickle; Carlson; G. Cole; Eide; Hansen; Holm; Jones; Karahalios; J. Kohl; Patterson; Pruitt; and Roland.

Minority Report: Do not pass. Signed by 2 members: Representatives Stevens and Vance.

Staff: Margaret Allen (786-7191).

Background: Ordinarily, when a school district seeks the approval of a bond issue or a tax levy, 60 percent of the votes cast at the election must be in favor of the issue or levy.

In addition, the number of persons voting on the proposal must equal at least 40 percent of the total number of votes cast in the district at the most recent general election.

The 60 percent supermajority and 40 percent validation requirements are imposed both by the state constitution and statutes.

Unofficial results of recent school financing elections indicated all failed school bond issues and levies received a majority of favorable votes, but either lacked the requisite sixty percent favorable votes, or a sufficient number of votes to validate the election.

Summary of Bill: The 60 percent supermajority and 40 percent validation requirements are removed for most school financing elections. A proposal to issue bonds with a term of nine years or less, or to levy taxes, will pass if approved by a simple majority of the voters voting on the issue or levy. However, a proposal to issue bonds with a term exceeding nine years still requires the approval of 60 percent of the voters voting in the election. Also, the number of voters voting on the proposal to issue bonds with a term exceeding nine years must equal at least 40 percent of the total number of voters voting in the district at the most recent general election.

A statute in conflict with other law is repealed.

The act takes effect only if an accompanying proposed amendment to the state constitution is approved and ratified by the voters at the next general election, and certified by the secretary of state.

Fiscal Note: Available.

Effective Date: The bill contains a contingency clause and takes effect if the proposed amendment is validly submitted, approved, and ratified by the voters and certified by the secretary of state.

Testimony For: The validation requirement allows "no" votes to count more than "yes" votes. The supermajority requirement allows a minority to rule. Let the voters decide whether to drop the supermajority and validation requirements. Money spent rerunning failed levies and bonds could be better spent on teachers and schools.

Testimony Against: Eliminating the supermajority and validation requirements will adversely effect taxpayers on fixed incomes. Mailing a ballot to every registered voter would eliminate any validation problems.

Witnesses: Kathleen Anderson, state Board of Education (for); Debbie Severn, Marcia Holland, Washington State PTA (for); Donna Rivers, Steilacoom Historical School District (for); Jan Shellgren, Seattle School Board (for); Jean Shefreland, Highline Citizens for Schools (for); Val Torrens (for); Marcia Costello, WASA (for); Charles Hall, Yelm Community Schools (for); and Chester Gill (against).