

# HOUSE BILL REPORT

## HJR 4204

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As Reported By House Committee On:  
Education

**Brief Description:** Amending the Constitution to provide for a simple majority of electors voting to authorize school district and library district levies and bonds.

**Sponsors:** Representatives G. Cole, Brough, Flemming, Dorn, Peery, Karahalios, Rust, Sheldon, Jones, Chappell, Holm, Shin, R. Johnson, Johanson, J. Kohl, Springer, Cooke, Wood, Lemmon, Jacobsen, Wang, Leonard, Quall, Brumsickle, Thomas, H. Myers, Rayburn and King; 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.

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### 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 or library 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 voting at the most recent general election.

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 60 percent favorable votes, or a sufficient number of votes to validate the election.

The 60 percent supermajority and 40 percent validation requirements are imposed by Article VII, Section 2 and Article VIII, Section 6 of the state constitution, and by statutes.

A bill introduced this session amends the statutes to remove the 60 and 40 percent requirements for school districts and library districts.

Article VII, Section 2 of the constitution refers to "votes cast," "electors voting," and "persons voting," rather than to the term "voters voting" used in Article VIII, Section 6.

**Summary of Substitute Bill:** An amendment to Article VII, Section 2 and Article VIII, Section 6 of the state constitution is to be submitted to the voters at the next general election.

The amendment would remove the 60 percent supermajority and 40 percent validation requirements for school districts and library districts, meaning a bond issue or levy could pass if authorized by a majority of those voting on the issue or levy.

The terms "votes cast," "electors voting," and "persons voting" are changed to "voters voting" throughout Article VII, Section 2.

The Legislature finds the proposed changes in the constitution are a single integrated plan providing for a simple majority of electors voting to authorize school district and library district levies and bonds. If the amendment is held to be separate amendments, the joint resolution is void.

**Substitute Bill Compared to Original Bill:** The terms "votes cast," "electors voting," and "persons voting" are changed to "voters voting" throughout Article VII, Section 2.

**Fiscal Note:** Requested February 10, 1993.

**Effective Date of Substitute Bill:** Upon ratification by the voters.

**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 affect 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).