

# HOUSE BILL REPORT

## ESHB 1298

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As Reported By House Committee On:  
Education

**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:** 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, 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, January 25, 1994, DP2S.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 18 members: Representatives Dorn, Chair; Cothorn, Vice Chair; Brough, Ranking Minority Member; B. Thomas, Assistant Ranking Minority Member; Brumsickle; Carlson; G. Cole; Eide; G. Fisher; Hansen; Holm; Jones; Karahalios; J. Kohl; Patterson; Pruitt; Roland; and L. Thomas.

**Staff:** Robert Butts (786-7111).

**Background:** 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.

**Summary of Second Substitute Bill:** The 60 percent supermajority and 40 percent validation requirements are removed for school district bond and excess levy elections. Bond issuance and tax levies will be approved when a simple majority of those voting in the election support the bond issuance or tax levy.

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.

**Second Substitute Bill Compared to Engrossed Substitute**

**Bill:** A provision was removed that would have retained the 60 percent majority and 40 percent validation requirements for bonds with a maturity of nine or more years.

**Fiscal Note:** Requested on engrossed substitute January 11, 1994. Not necessary on second substitute bill.

**Effective Date of Second Substitute Bill:** 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:** It is easier to raise taxes to build prisons than it is to run and build schools. Other local governments do not have to ask their voters every two years for 20 percent of their budgets. Please let the voters decide this issue by passing the bill and putting the issue on the ballot.

**Testimony Against:** A small minority of citizens will be able to impose taxes on the majority. The current approval requirements are a safeguard against narrow interests and protect the public treasury.

**Witnesses:** SUPPORT: Marcia Holland, Washington State Parent Teacher Association; Lynn McKinnon, Public Schools Employees of Washington; Marcia Costello, Washington Association of School Administrators; Karen Davis, Washington Education Association; Dwayne Slate and Susan Trimmingham, Washington State School Directors' Association; and Millard Battles, State Board of Education;

OPPOSED: Paul Telford, citizen; Linda Jordan, Ethical School Bonds Committee; and Skip Knox, citizen.