

SENATE BILL REPORT

2SHB 1298

AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 23, 1994

Brief Description: Providing for a simple majority of voters voting to authorize school 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, B. Thomas, H. Myers, Rayburn and Orr; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction)

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass.

Signed by Senators Pelz, Chairman; McAuliffe, Vice Chairman; Gaspard, M. Rasmussen, Rinehart, Skratek, A. Smith and Winsley.

Staff: Susan Mielke (786-7439)

Hearing Dates: February 21, 1994; February 23, 1994

BACKGROUND:

Under the Washington State Constitution, a school district is authorized to issue general obligation bonds for capital purposes if the number of voters voting on the proposition is not less than 40 percent of the voters who voted in that district in the preceding general election. Additionally, at least 60 percent of those voting on the proposition must vote "yes".

Under the State Constitution, a school district's excess levy may be authorized by two methods. The first requires the number of voters voting on the proposition to exceed 40 percent of the voters who voted in that district in the last preceding general election. Additionally, at least 60 percent of those voting on the proposition must vote "yes".

The second method permits an excess levy to pass when the number of those voting on the proposition is less than 40 percent of the voters who voted in that district in the last preceding general election. In this case, the number of "yes" votes on the proposition must be equivalent to or greater than 60 percent of the number that represents 40 percent of those voting in the last general election.

Under the State Constitution, any amendment to the Constitution must be approved by a two-thirds majority of both houses of the Legislature, followed by approval of a majority the people.

SUMMARY:

SHJR 4214, a proposed constitutional amendment, is implemented if the amendment is approved by the voters at the next general election. SHJR 4214 allows a school district to increase its debt limit, approve excess levies, and issue bonds when authorized to do so by a simple majority of voters voting on such a proposition.

Appropriation: none

Revenue: none

Fiscal Note: requested February 10, 1994

TESTIMONY FOR:

School funding issues have nothing to do with how many voters voted in the last preceding general election. It is easier for other local governmental units to pass a levy or a bond issue than it is for schools. It is wrong that many school districts' levy or bond measures fail with a large "yes" vote but would pass if only more people came out to vote "no". The time and expense expended on repeating measures that fail could be better used to improve student achievement. This issue should be placed on the ballot and the voters should be allowed to decide.

TESTIMONY AGAINST:

School district levy and bond measures are not failing because of the supermajority and validation requirements. The measures are failing because the districts are targeting only special interest groups and are not informing the majority of the public about the issues. They are also failing because the public believes school districts are mismanaging money and should not be given more money without showing the money will be used wisely.

The validation and supermajority requirements provide safeguards that protect the taxpayers by ensuring voter knowledge and broad support in the decision to tax. The requirements prevent small special interest groups from raising the taxes of all the taxpayers in the district. Relaxing the requirements will make it easier for school districts to pass levy and bond issues but it will cause a property owners backlash that will damage education in this state in the long run. The ability for school districts to raise additional money through bond or levy measures should be restricted to emergency situations.

TESTIFIED: Representative Grace Cole, original prime sponsor (pro); Jan Shellgren, Seattle School Board (pro); Jordan

Brower, activist (con); A.D. "Skip" Knox, P.S. #1 (con); Katie Levans, Phronesis Group and UWSA-WA Pierce Co. Ed. Comm. (con); Linda Jordan, Ethical School Bonds Committee (con); Jack Darragh, citizen (con); Fred Bucke, citizen (con); Susan Trimmingham, Dwayne Slate, WA State School Directors Association (pro)