

SENATE BILL REPORT

ESHJR 4204

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 5, 1993

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

SPONSORS: House Committee on Education (originally sponsored by 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)

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

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

Minority Report: Do not pass as amended.

Signed by Senator Hochstatter.

Staff: Susan Mielke (786-7439)

Hearing Dates: March 24, 1993; April 2, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Education.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Anderson, Bauer, Gaspard, Jesernig, Moyer, Owen, Pelz, Quigley, Snyder, Sutherland, Talmadge, and Wojahn.

Minority Report: Do not pass.

Signed by Senators Bluechel, Cantu, Hochstatter, McDonald, Roach, L. Smith, and West.

Staff: Bill Freund (786-7441)

Hearing Dates: April 5, 1993

BACKGROUND:

Under the Washington State Constitution the approval of excess levies for maintenance and operations can be validated by two methods. The first requires an affirmative vote of 3/5

majority (60 percent) of those voting on the proposition and requires that the total number of voters voting on the proposition must not be less than 40 percent of the voters who voted in that district in the last preceding general state election. The second method was established in 1972 by a constitutional amendment that relaxed the voter turnout requirements for maintenance and operations levies. This amendment permits an excess property tax levy to pass if the number of affirmative votes that the measure receives is equivalent to 3/5 (60 percent) of 40 percent of those voting in the last general election. (The required number of affirmative votes is equivalent to 24 percent of the number of votes cast in the preceding general election.)

Under the State Constitution, the approval for issuance of general obligation bonds for capital purposes can be validated only by an affirmative vote of 3/5 majority (60 percent) of those voting on the proposition and requires that the total number of voters voting on the proposition must not be less than 40 percent of the voters who voted in that district in the preceding general state election.

To amend the State Constitution, a bill must be passed by a 2/3 majority of both houses and approved by a majority of the people.

SUMMARY:

An amendment to the Washington State Constitution is proposed to provide for a simple majority of voters to authorize school district and library district excess levies; provide for a simple majority to authorize a school district to increase its debt limit, and provide for a single majority to authorize school district bonds with a term of nine years or less. Authorization of school district bonds with a term of greater than nine years still requires the 60 percent affirmative vote and the 40 percent validation requirement.

SUMMARY OF PROPOSED SENATE AMENDMENT:

The reference to library districts is deleted to be consistent with the rest of the bill. Bonds with a term of greater than nine years require approval by at least 3/5 of the voters voting on the proposition but does not require the 40 percent validation.

Obsolete language is deleted.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The 60 percent supermajority requirement to approve school district levies or bonds is unfair. It is undemocratic not to accept a majority vote to pass a proposition. The 40 percent validation requirement is unfair. Many school district levy or bond elections fail with a large "yes" vote but would pass if only more people came out to vote "no." Each election is expensive and if the levy or bond fails, it is expensive to try again.

Changing the approval requirements to anything other than a simple majority makes the measure more difficult to explain to the public.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Dwayne Slate, WSSDA; Susan Trimmingham, WSSDA; Susan Patrick, OSPI; Linda Byrnes, SBE; Marsha Costello, WSSDA; Dr. Kathryn Haigh, WSSDA; Debbie Severe, WA State PTA; Ellie Wilson, Clover Park Citizens Committee for Schools; Dick Sovde, Superintendent, Central Valley School District