

SENATE BILL REPORT

SB 5305

AS REPORTED BY COMMITTEE ON WAYS & MEANS, FEBRUARY 25, 1993

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

SPONSORS: Senators Gaspard, Bauer, Haugen, A. Smith, Quigley, Spanel and Pelz; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction

SENATE COMMITTEE ON EDUCATION

Majority Report: That Substitute Senate Bill No. 5305 be substituted therefor, and the substitute bill do pass 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.

Staff: Susan Mielke (786-7439)

Hearing Dates: February 12, 1993; February 15, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That substitute Senate Bill No. 5305 as recommended by Committee on Education be substituted therefor and the substitute bill do pass.

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

Staff: Bill Freund (786-7441)

Hearings Dates: February 24, 1993; February 25, 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:

SJR 8209, the State Constitutional amendment that provides for a simple majority of voters to authorize school district and library district levies and bonds is implemented, if SJR 8209 is approved by the voters at the state general election in November 1993.

EFFECT OF PROPOSED SUBSTITUTE:

Technical amendments of a grammatical nature are made.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Under the current system, the 40 percent validation requirement can be difficult to achieve because people who do not vote cannot be counted toward the validation requirement. Getting enough people to vote to validate the election is difficult for school districts. Each election is expensive and if the levy or bond fails, it is expensive to try again.

TESTIMONY AGAINST:

All citizens in a district should not have to pay more to benefit the relatively small percentage of the state population that has school-age children. It's difficult for senior citizens to know when special levy and/or bond elections are being held. Some voting areas are inaccessible to the elderly. These conditions make it unfair to senior citizens and ultimately will force the elderly into poverty by making it easier to pass excess levies or bonds.

TESTIFIED: Judith Billings, SPI (pro); Debbie Severe, Washington State PTA (pro); Chester Gill (con); Marcia Holland, Washington State PTA (pro); Mary Cline, Highline School District, WSSDA (pro); Donna Kelley Rivers, Steilacoom

Historical School District (pro); Marcia Costello, WASA (pro); Charles Hall, Yelm Community Schools (pro); Esther Stefaniw, WSSDA (pro); Kathleen Anderson, State Board of Education (pro); Lynn McKinnon, PSE (pro); Ellie Wilson, Clover Park Citizens for Schools (pro); Bob Myer, Washington Education Association (pro)