

# HOUSE BILL REPORT

## HB 1853

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### As Reported By House Committee On:

Education

**Title:** An act relating to the relationship between school district boundaries and the boundaries of a city or town with a population of less than three thousand.

**Brief Description:** Establishing procedure and requirements for the removal and transfer of a portion of certain cities or towns from one school district to another.

**Sponsors:** Representatives Smith and Bush.

### Brief History:

#### Committee Activity:

Education: 2/21/97, 3/3/97 [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 8 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Cole, Ranking Minority Member; Quall; Smith; Sterk; Sump and Talcott.

**Minority Report:** Without recommendation. Signed by 3 members: Representatives Keiser, Assistant Ranking Minority Member; Linville and Veloria.

**Staff:** Joe Hauth (786-7111).

**Background:** The Legislature enacted the city or town districts– statute in 1909, which provided that each city or town be served by a single school district. The Legislature subsequently enacted several procedural requirements relating to particular relationships between city or town boundaries and school district boundaries.

**Summary of Substitute Bill:** Notwithstanding the city or town districts statute, the governing body of a city or town that includes territory located in two school districts may call a special election to remove territory from one school district and transfer it to the other school district if:

- The city or town has a population of less than 3,000;
- One of the two school districts borders a U.S. military reservation or includes territory located in a U.S. military reservation; and

- The proposed territory does not contain a public school building.

At the special election, the governing body of the city or town submits a ballot proposition to voters of the city or town. If a simple majority of voters passes the proposition, then the local educational service district superintendent must alter the school district boundaries accordingly. The city or town must pay for the cost of the election.

This section expires January 1, 1999.

**Substitute Bill Compared to Original Bill:** A findings section is added stating that, consistent with growth management objectives, citizens should have the opportunity to decide whether land that includes industrial, commercial, and residential sites will be in the same school district.

The ballot proposition is amended that authorizes the removal and transfer of the portion of the city or town from one school district to the other school district. All voters in the city or town, rather than the voters in the portion of the city or town that is to be removed or transferred, may vote on the proposition.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The assessed valuation of property should follow the kids. There is a problem, but the educational service district is not taking action, and the bureaucratic process has not worked. The city should be able to decide. Children go to different schools, so a community approach is needed.

**Testimony Against:** The State Board of Education recommends putting the issue on hold and studying it further. The underlying statute is a mess. The old law does not apply anymore. The issue should not be addressed at the state level, since it can become politicized. The process itself is broken. A wide variety of voters should be involved. The issue should be left to the local educational service district to decide. The process must consider the underlying indebtedness of the school districts. The school districts involved are in different financial positions. The federal government (Department of Defense) provides impact aid— to account for loss of property tax base. Local citizens are concerned about tax equity issues. Overriding current law sets a dangerous precedent and will take place at expense of citizens who have no voice in the decision. This bill will cause a domino effect— in school district boundary decisions.

**Testified:** Representative Smith, prime sponsor; Art Himmler, Steilacoom School District (pro); Lorraine Overmyer, Steilacoom School District (pro); Willard Shankel, Mayor, city of Dupont (pro); Larry Davis, State Board of Education (con); Dwayne Slate, Washington State School Directors' Association (con); John Davis, Clover Park School Board (con); Sherry Thomas, city of Lakewood (con); Cathy Feutz, parent, Clover Park School District (con); Dave Babington, citizen (pro); Bridget King, citizen (pro); and Jeff Lincoln, citizen (pro).