

SENATE BILL REPORT

HB 1935

As Reported By Senate Committee On:
Government Operations & Elections, March 26, 2003

Title: An act relating to special elections.

Brief Description: Changing prerequisites for county auditors calling special elections.

Sponsors: Representatives Haigh, Ahern and Hatfield.

Brief History:

Committee Activity: Government Operations & Elections: 3/26/03 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Fairley, Kastama and McCaslin.

Staff: Ronda Larson (786-7429)

Background: The standard rule regarding times for holding a local general election requires a November election in odd-numbered years. Exceptions to this rule allow county auditors to call special local elections at different times for specific proposals. Examples include proposals for non-high school district capital fund aid and proposals for school district consolidation. However, in another chapter of the RCW, the Legislature repealed the consolidation statute. In its place is a new district reorganization statute. In current law, there is no special election provision for district reorganization proposals.

The Legislature also enacted new law regarding school districts' adjustments to bonded indebtedness at the time of reorganization. Likewise, there is no special election provision for proposals to adjust bonded indebtedness.

To call a special election, a county auditor must receive a resolution requesting an election from a city, town, or district. In addition, the auditor must deem that an emergency exists. However, in practice, auditors rarely consider the emergency requirement.

Summary of Bill: Two additional types of school district reorganization elections are allowed to deviate from the November election date rule. The first allows a special election for a proposal to adjust bonded indebtedness between or among school districts. The second exception allows a special election for a proposal to form a new school district. The reference to the repealed school district consolidation statute is eliminated.

The county auditor also is no longer required to determine if an emergency exists in order to call a special election.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Virtually no county auditors declare an emergency before calling a special election. Having the requirement in the statute can be a problem when various opponents of issues use the requirement to attempt to derail an election by claiming the election was improper because no emergency had been declared.

Testimony Against: None.

Testified: Vern Spatz, Washington State Association of County Auditors (pro).