

# SENATE BILL REPORT

## EHJR 4204

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As Reported By Senate Committee On:  
Early Learning & K-12 Education, March 22, 2007

**Brief Description:** Amending the Constitution to provide for a simple majority of voters voting to authorize a school levy.

**Sponsors:** Representatives Schual-Berke, Chase, Wallace, Hudgins, Sells, Kenney, Appleton, Pedersen, Ormsby, Hasegawa, Lovick, Haigh, Dunshee, Hunt, Simpson, Lantz, Hunter, Williams, Linville, Goodman, Conway, Springer, Hurst, Campbell, P. Sullivan, Miloscia, Kelley, Moeller, Green, Rolfes, Eddy, Santos, Fromhold and Haler; by request of Governor Gregoire.

**Brief History:** Passed House: 3/12/07, 79-19.

**Committee Activity:** Early Learning & K-12 Education: 3/15/07, 3/22/07 [DP, DNP].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Eide, Hobbs, Kauffman, Oemig, Rasmussen and Weinstein.

**Minority Report:** Do not pass.

Signed by Senators Holmquist, Ranking Minority Member; Clements, Hewitt and Zarelli.

**Staff:** Bryon Moore (786-7726)

**Background:** The Washington State Constitution gives school districts the power to levy additional taxes and assume debt upon voter approval.

Excess Property Tax Levies: There are two methods for authorizing excess property taxes for school districts. The first method requires a 40 percent voter turnout; the other does not. In the first method, a levy is approved if at least 60 percent of those voting in a school district election vote "yes" and the number of voters who turn out exceeds 40 percent of the voters who participated in the district's last general election. In the second method, a levy is approved if the number of "yes" votes is at least equal to 60 percent of the 40 percent of the number of voters who voted in the district's last general election.

To amend the Constitution, a bill must be passed by a two-thirds majority of both houses of the Legislature and approved by a majority of the people.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Engrossed Bill:** An amendment to the Washington State Constitution is proposed to provide for a simple majority of voters to authorize excess capital, maintenance and operation, and transportation levies for school districts. The amendment removes the 40 percent election validation requirement for levy elections.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Upon approval by voters.

**Staff Summary of Public Testimony:** PRO: We have been trying for a very long time to pass this legislation and this is the year. Under the current super majority with validation requirements, those people who stay home and do not vote have more power than the people who actually vote. That is unfair and is not the way democracy should work. The legislators have reviewed and debated this issue for years and it is time to finally let the voters of Washington debate this issue. School districts are spending a great deal of time and resources trying to get levies and bonds passed under the current requirements that could be better spent educating our children. Many times school districts come within just a few votes of passing the levies and this process becomes morally draining and frustrating for parents and educators. When levies fail, the best and the brightest teachers start leaving because they see that resources are getting tighter and they are fearful for their jobs. The impact of levy failures is on the community and the students.

**Persons Testifying:** PRO: Representative Schual-Berke, prime sponsor; Eve Johnson, citizen; Lucinda Young, Washington Education Association; Kathleen Lopp, Washington Association for Career and Technical Education; Dan Steele, Washington Association of School Directors; Catherine Ahl, League of Women Voters; Mitch Denning, Alliance of Education Associations; Pat Montgomery, Washington Parent Teacher Association; Jerry Bender, Association of Washington School Principals; Barbara Mertens, Simple Majority for Schools Coalition.