

HOUSE BILL REPORT

HB 1364

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to technical corrections to election provisions.

Brief Description: Making technical corrections to election provisions.

Sponsors: Representatives Hunt, Armstrong, McCoy and Kenney; by request of Secretary of State.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/27/09, 2/5/09 [DP].

Brief Summary of Bill

- Restores six-year terms for first-class school district board members so long as the district contains a first-class city and is located in a county with a population of 210,000 or more.
- Updates the filing period for declaration of candidacy for a city or town elective position.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Newhouse.

Staff: Tracey O'Brien (786-7196)

Background:

In 2003 the Legislature reorganized and streamlined the election procedures statutes that were in Title 29. The result is the current Title 29A which now contains the laws establishing procedures for the conduct of elections.

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.

Each member of a school board is elected by the registered voters of the school district and holds office for a term of four years and until a successor is elected and qualified. Up until 2003 first-class school districts containing a first-class city, located in a county with a population of at least 210,000, could elect school board members for terms of six years.

Persons wishing to appear on a ballot for election to office other than the President or Vice President of the United States, must file a declaration of candidacy. Unless otherwise provided, the filing period shall begin no earlier than the first Monday in June and no later than the following Friday in the year in which the office is scheduled to be voted upon.

Summary of Bill:

A first-class school district containing a first-class city and located in a county with a population of 210,000 or more shall hold school board elections on a biennial basis. School board members may be elected for six-year terms and serve until their successor is elected, qualified, and assumes office. If the school board reduces the length of terms from six years to four years, the reduction in the length of the term must not affect the term of office of any incumbent school board member without his or her consent. In addition, a provision must be made to appropriately stagger future elections. These provisions apply retroactively to July 1, 2004.

The declaration of candidacy filing period for city and town elective positions must be between 45 and 60 days prior to the primary election at which the initial elected officials are nominated. Any candidate may withdraw his or her declaration at any time within five days after the last day allowed for filing a declaration of candidacy.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) This bill makes two technical corrections. First, it allows for the continuance of six-year terms for certain school districts, including Everett, Tacoma, and Spokane. The removal of this option was an inadvertent oversight during the 2003 session. The record does not show any legislative intent to change the terms as the legislation was supposedly policy-neutral. For decades, school districts were required to have six-year terms, until it was made permissive in 1996. The school districts that have school boards serving six-year terms find it allows for stability, the development of deep knowledge, and the ability to deal with the complex issues that arise in larger districts. Second, the bill reauthorizes the election of municipal officers in newly incorporated cities at spring special elections. This provision

was inadvertently changed in 2006 when the Legislature changed the date of the primary and other election-related dates.

(Opposed) None.

Persons Testifying: Representative Hunt, prime sponsor; Bob Collard, Everett School District; Dan Steele, Washington State School Directors' Association; and Katie Blinn, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.