

HOUSE BILL REPORT

SSB 5327

As Passed House:

April 7, 2009

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

Brief Description: Making technical corrections to election provisions.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Oemig, Swecker, Regala, McDermott and McAuliffe; by request of Secretary of State).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/19/09, 3/20/09 [DP].

Floor Activity

Passed House: 4/7/09, 84-13.

Brief Summary of Substitute 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 7 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst and Miloscia.

Staff: Tracey O'Brien (786-7196)

Background:

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.

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.

Each director 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 directors 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 directors 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 director 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.

In addition, there are references to Title 28A RCW to clarify that qualifying school districts may utilize a six-year term option for school board directors.

The declaration of candidacy filing period for city and town elective positions must be between 45 and 60 days prior to the primary election in 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 is truly a technical correction bill to correct an inadvertent oversight in 2003. There are three school districts that currently have six-year terms for school board director terms. The emergency clause is necessary in order to implement the candidate filings in June for the fall primary. In addition, the bill reauthorizes the election of municipal officers in newly incorporated cities at the spring special elections. This was inadvertently changed in 2006.

(Opposed) None.

Persons Testifying: Senator Oemig, prime sponsor; Joanie Deutsch, Office of the Secretary of State; and Dan Steele, Washington State School Directors' Association.

Persons Signed In To Testify But Not Testifying: None.