

SENATE BILL REPORT

SB 5817

As Reported By Senate Committee On:
Education, March 4, 1997

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: Senator Rasmussen.

Brief History:

Committee Activity: Education: 2/28/97, 3/4/97 [DPS].

SENATE COMMITTEE ON EDUCATION

Majority Report: That Substitute Senate Bill No. 5817 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hochstatter, Chair; Goings, McAuliffe, Rasmussen and Zarelli.

Staff: Susan Mielke (786-7422)

Background: The Legislature does not set school boundaries, but has established regional committees and statutory procedures for changing school district boundaries due to annexation, or the transfer of property from one school district to another.

Regional committees on school district organization operate in each Educational Service District (ESD). The regional committee members are elected by the boards of directors of the school districts located in the ESD.

There are three ways to initiate the process to change school district boundaries when the change transfers property from one school district to another school district: (1) a petition, signed by a majority of the registered voters residing in the area proposed to be transferred, may be submitted to the regional committee; (2) if there is no registered voter residing in the area proposed to be transferred, a petition signed by the school board of one of the districts affected by the transfer may be submitted to the regional committee; or (3) if there are no children of school age residing in the area proposed to be transferred, the ESD superintendent, without being petitioned to do so, may submit a proposal to the regional committee.

The regional committee must hold a public hearing on the proposal to transfer property.

If the regional committee determines that the transfer of property involves 10 percent or more of the public school population of the district then a special election of the voters of

that school district must be held. Transfer approval requires a majority of the voters to vote for the proposal.

Summary of Substitute Bill: A city or town, which includes property located in two schools districts, may call a special election to authorize the transfer of property from one school district to the other if:

- The city or town has a population of fewer than 3,000;
- One of the two school districts either borders or includes property located in a United States military reservation; and
- A public school building is not located in the territory being transferred.

If a majority of voters approve the transfer of property, the ESD must order the change in boundaries.

The cost of the election must be paid by the city or town.

Substitute Bill Compared to Original Bill: Language that limited the voters to those in a portion of the city or town is deleted, making all eligible voters of the city or town eligible to vote on the issue.

Appropriation: None.

Fiscal Note: Requested on February 24, 1997.

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

Testimony For: This bill is site-specific and does not affect other school districts. This issue has been around for years. When the first request for transfer of the property was made the land was scrub land and not an industrial area. Currently the students who live in the City of Dupont attend the Steilacoom school district, but the tax dollars from the industrial area go to the Clover Park school district. The tax dollars should follow the children. This bill allows the 800 citizens of the city of Dupont to decide which school district to send their children and their industrial tax base to support their children's education. Dupont would love to have its own schools but has no way to finance them.

Testimony Against: This bill has nothing to do with education of students, but everything to do with property taxes. The transfer of property will severely harm the Clover Park school district. If this bill passes, then the 250 registered voters of Dupont could take away land from the Clover Park school district without the 26,134 Clover Park voters having the opportunity to vote. The issue has already been decided by the local regional committee. This is just an end run around the local decision making process because some do not like the regional committee's decision. If the Legislature passes this bill that puts the Legislature into an appellate role and will encourage future legislation.

Testified: Senator Rasmussen, prime sponsor (pro); Jeffrey A. Lincoln, citizen (con); Bill Harrison, Mayor of Lakewood (con); Will Shankel, Mayor of DuPont (pro); Dina Curtis, citizen (pro); Janda Volkmer, Mayor of Steilacoom (pro); Art Himmler, Steilacoom School District (pro); Jonathan T. Harris, Steilacoom Historical School District #1 (pro); Lauren

Curtis, DuPont citizen (pro); Cathy Feutz, Clover Park parent (con); John Davis, Clover Park School Board (con); Larry Davis, State Board of Education (con).