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HOUSE JOINT RESOLUTION 4217

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State of Washington                      54th Legislature                      1996 Regular Session

By Representatives Huff, Brumsickle, B. Thomas, Radcliff, Wolfe, L. Thomas, Ogden, Conway, Cody, Veloria, Carlson, Mason, Patterson, Keiser, Murray and Quall

Read first time 01/09/96. Referred to Committee on Education.

1            BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3            THAT, At the next general election to be held in this state there  
4 shall be submitted to the qualified voters of the state for their  
5 approval and ratification, or rejection, an amendment to Article VII,  
6 section 2; and an amendment to Article VIII, section 6 of the  
7 Constitution of the state of Washington to read as follows:

8            Article VII, section 2. Except as hereinafter provided and  
9 notwithstanding any other provision of this Constitution, the aggregate  
10 of all tax levies upon real and personal property by the state and all  
11 taxing districts now existing or hereafter created, shall not in any  
12 year exceed one (~~per centum~~) percent of the true and fair value of  
13 such property in money: PROVIDED, HOWEVER, That nothing herein shall  
14 prevent levies at the rates now provided by law by or for any port or  
15 public utility district. The term "taxing district" for the purposes  
16 of this section shall mean any political subdivision, municipal  
17 corporation, district, or other governmental agency authorized by law  
18 to levy, or have levied for it, ad valorem taxes on property, other  
19 than a port or public utility district. Such aggregate limitation or  
20 any specific limitation imposed by law in conformity therewith may be  
21 exceeded only

1 (a) By any taxing district when specifically authorized so to do by  
2 a majority of at least three-fifths of the ((electors)) voters thereof  
3 voting on the proposition to levy such additional tax submitted not  
4 more than twelve months prior to the date on which the proposed initial  
5 levy is to be made and not oftener than twice in such twelve month  
6 period, either at a special election or at the regular election of such  
7 taxing district, at which election the number of ((persons)) voters  
8 voting "yes" on the proposition shall constitute three-fifths of a  
9 number equal to forty ((per centum)) percent of the ((total votes  
10 east)) number of voters voting in such taxing district at the last  
11 preceding general election when the number of ((electors)) voters  
12 voting on the proposition does not exceed forty ((per centum)) percent  
13 of the ((total votes east)) number of voters voting in such taxing  
14 district in the last preceding general election; or by a majority of at  
15 least three-fifths of the ((electors)) voters thereof voting on the  
16 proposition to levy when the number of ((electors)) voters voting on  
17 the proposition exceeds forty ((percentum)) percent of the ((total  
18 votes east)) number of voters voting in such taxing district in the  
19 last preceding general election: PROVIDED, That notwithstanding any  
20 other provision of this Constitution, any proposition pursuant to this  
21 subsection to levy additional tax for the support of the common schools  
22 may provide such support for a two year period and any proposition to  
23 levy an additional tax to support the construction, modernization, or  
24 remodelling of school facilities may provide such support for a period  
25 not exceeding six years: PROVIDED FURTHER, That a proposition under  
26 this subsection to levy an additional tax for a school district shall  
27 be authorized only at a general election by a majority of the voters  
28 voting on the proposition;

29 (b) By any taxing district otherwise authorized by law to issue  
30 general obligation bonds for capital purposes, for the sole purpose of  
31 making the required payments of principal and interest on general  
32 obligation bonds issued solely for capital purposes, other than the  
33 replacement of equipment, when authorized so to do by majority of at  
34 least three-fifths of the ((electors)) voters thereof voting on the  
35 proposition to issue such bonds and to pay the principal and interest  
36 thereon by an annual tax levy in excess of the limitation herein  
37 provided during the term of such bonds, submitted not oftener than  
38 twice in any calendar year, at an election held in the manner provided  
39 by law for bond elections in such taxing district, at which election

1 the total number of (~~persons~~) voters voting on the proposition shall  
2 constitute not less than forty (~~per centum~~) percent of the total  
3 number of (~~votes cast~~) voters voting in such taxing district at the  
4 last preceding general election: PROVIDED, That any such taxing  
5 district shall have the right by vote of its governing body to refund  
6 any general obligation bonds of said district issued for capital  
7 purposes only, and to provide for the interest thereon and amortization  
8 thereof by annual levies in excess of the tax limitation provided for  
9 herein(~~7~~): PROVIDED FURTHER, That a proposition by a school district  
10 to issue bonds, and to pay the principal and interest on the bonds by  
11 an annual tax levy during the term of the bonds in excess of the  
12 limitation provided in this section, shall be authorized only at a  
13 general election by a majority of the voters voting on the proposition:  
14 AND PROVIDED FURTHER, That the provisions of this section shall also be  
15 subject to the limitations contained in Article VIII, Section 6, of  
16 this Constitution;

17 (c) By the state or any taxing district for the purpose of paying  
18 the principal or interest on general obligation bonds outstanding on  
19 December 6, 1934; or for the purpose of preventing the impairment of  
20 the obligation of a contract when ordered so to do by a court of last  
21 resort.

22 Article VIII, section 6. No county, city, town, school district,  
23 or other municipal corporation shall for any purpose become indebted in  
24 any manner to an amount exceeding one and one-half (~~per centum~~)  
25 percent of the taxable property in such county, city, town, school  
26 district, or other municipal corporation, without the assent of  
27 three-fifths of the voters therein voting at an election to be held for  
28 that purpose, nor in cases requiring such assent shall the total  
29 indebtedness at any time exceed five (~~per centum~~) percent on the  
30 value of the taxable property therein, to be ascertained by the last  
31 assessment for state and county purposes previous to the incurring of  
32 such indebtedness, except that in incorporated cities the assessment  
33 shall be taken from the last assessment for city purposes: PROVIDED,  
34 That the assent necessary to authorize a school district to incur such  
35 debt shall be a majority of the voters voting on the proposition at a  
36 general election: PROVIDED FURTHER, That no part of the indebtedness  
37 allowed in this section shall be incurred for any purpose other than  
38 strictly county, city, town, school district, or other municipal  
39 purposes: PROVIDED FURTHER, That (a) any city or town, with such

1 assent, may be allowed to become indebted to a larger amount, but not  
2 exceeding five (~~per centum~~) percent additional for supplying such  
3 city or town with water, artificial light, and sewers, when the works  
4 for supplying such water, light, and sewers shall be owned and  
5 controlled by the municipality and (b) any school district with such  
6 assent, may be allowed to become indebted to a larger amount but not  
7 exceeding five (~~per centum~~) percent additional for capital outlays.

8 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
9 notice of the foregoing constitutional amendment to be published at  
10 least four weeks next preceding the election in every legal newspaper  
11 in the state.

12 BE IT FURTHER RESOLVED, That the foregoing amendment shall be  
13 construed as a single amendment within the meaning of Article XXIII,  
14 section 1 of the state Constitution.

15 The legislature finds that the changes contained in the foregoing  
16 amendment constitute a single integrated plan providing for a simple  
17 majority of voters voting at a general election to authorize school  
18 district levies and bonds. If the foregoing amendment is held to be  
19 separate amendments, this joint resolution shall be void in its  
20 entirety and shall be of no further force and effect.

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