
HOUSE JOINT RESOLUTION 4209

State of Washington

57th Legislature

2001 Regular Session

By Representatives Hurst, Dunn, Wood, Cooper, Haigh, Quall, Veloria, Edwards, Eickmeyer, Tokuda, Keiser, Ogden and Kagi

Read first time 02/02/2001. 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 the
4 secretary of state shall submit to the qualified voters of the state
5 for their approval and ratification, or rejection, an amendment to
6 Article VII, section 2 of the Constitution of the state of Washington
7 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 percent of the true and fair value of such property in
13 money: *Provided, however,* That nothing herein shall prevent levies at
14 the rates now provided by law by or for any port or public utility
15 district. The term "taxing district" for the purposes of this section
16 shall mean any political subdivision, municipal corporation, district,
17 or other governmental agency authorized by law to levy, or have levied
18 for it, ad valorem taxes on property, other than a port or public
19 utility district. Such aggregate limitation or any specific limitation
20 imposed by law in conformity therewith may be exceeded only as follows:

1 (a) By any taxing district when specifically authorized so to do by
2 a majority of at least three-fifths of the voters of the taxing
3 district voting on the proposition to levy such additional tax
4 submitted not more than twelve months prior to the date on which the
5 proposed levy is to be made, but for a school district not more than
6 twenty-four months before the date on which the initial proposed levy
7 is to be made, and not oftener than twice in such twelve month period,
8 either at a special election or at the regular election of such taxing
9 district, at which election the number of voters voting "yes" on the
10 proposition shall constitute three-fifths of a number equal to forty
11 percent of the total number of voters voting in such taxing district at
12 the last preceding general election when the number of voters voting on
13 the proposition does not exceed forty percent of the total number of
14 voters voting in such taxing district in the last preceding general
15 election; or by a majority of at least three-fifths of the voters of
16 the taxing district voting on the proposition to levy when the number
17 of voters voting on the proposition exceeds forty percent of the number
18 of voters voting in such taxing district in the last preceding general
19 election(~~(:—Provided, That)~~);

20 (b) Notwithstanding any other provision of this Constitution, any
21 proposition ((pursuant to this)) under subsection (a) of this section
22 may authorize a school district to levy additional ((tax)) taxes for
23 the support of the common schools ((may provide such support)) for a
24 period of up to four years ((and any proposition)), or may authorize a
25 school district to levy ((an)) additional ((tax)) taxes to support the
26 construction, modernization, or remodelling of school facilities ((may
27 provide such support)) for a period not exceeding six years, not more
28 than twelve months before the date on which the initial levy is to be
29 made, and a proposition authorizing the levy or levies for the support
30 of the common schools need be approved by only a simple majority vote
31 of voters voting on the proposition, without a forty percent validation
32 requirement, if the proposition is submitted at either a primary or
33 general election held in any year, but must be approved as provided
34 under subsection (a) of this section if the proposition is submitted at
35 any other special election;

36 (~~(b))~~ (c) By any taxing district otherwise authorized by law to
37 issue general obligation bonds for capital purposes, for the sole
38 purpose of making the required payments of principal and interest on
39 general obligation bonds issued solely for capital purposes, other than

1 the replacement of equipment, when authorized so to do by majority of
2 at least three-fifths of the voters of the taxing district voting on
3 the proposition to issue such bonds and to pay the principal and
4 interest thereon by annual tax levies in excess of the limitation
5 herein provided during the term of such bonds, submitted not oftener
6 than twice in any calendar year, at an election held in the manner
7 provided by law for bond elections in such taxing district, at which
8 election the total number of voters voting on the proposition shall
9 constitute not less than forty percent of the total number of voters
10 voting in such taxing district at the last preceding general election:
11 *Provided*, That any such taxing district shall have the right by vote of
12 its governing body to refund any general obligation bonds of said
13 district issued for capital purposes only, and to provide for the
14 interest thereon and amortization thereof by annual levies in excess of
15 the tax limitation provided for herein, *And provided further*, That the
16 provisions of this section shall also be subject to the limitations
17 contained in Article VIII, Section 6, of this Constitution;

18 ((+e)) (d) By the state or any taxing district for the purpose of
19 preventing the impairment of the obligation of a contract when ordered
20 so to do by a court of last resort.

21 BE IT FURTHER RESOLVED, That the secretary of state shall cause
22 notice of this constitutional amendment to be published at least four
23 times during the four weeks next preceding the election in every legal
24 newspaper in the state.

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